

NEW HAMPSHIRE

---

# L A W S

of the

SPECIAL SESSION OF 1966

and

LEGISLATURE OF 1967



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# LAWS

of the

STATE OF NEW HAMPSHIRE

PASSED SPECIAL SESSION, 1966

LEGISLATURE CONVENED JUNE 13, 1966

ADJOURNED, JUNE 13, 1966

# LAWS

of the

STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1967

LEGISLATURE CONVENED JANUARY 4, 1967

ADJOURNED JULY 2, 1967



CONCORD, N. H.

1967

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<i>Councilors</i> .....	Philip A. Robertson Royal H. Edgerly Edward H. Cullen Fred Fletcher James H. Hayes
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<i>Deputy Secretary of State</i> .....	Edward C. Kelley
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<i>Adjutant General</i> .....	Francis B. McSwiney
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<i>Assistant Bank Commissioner</i> .....	Arlan S. MacKnight

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<i>New Hampshire Hospital Superintendent</i> .....	Warren W. Burns, M.D.
<i>Laconia State School Superintendent</i> .....	Arthur E. Toll
<i>Registrar of Vital Statistics</i> .....	Marian Maloon Colby
<i>Veterans' Council State Director</i> ....	Charles R. Cunningham
<i>Industrial School Superintendent</i> ...	Michael Morello
<i>Prison (State) Warden</i> .....	Parker L. Hancock
<i>Insurance Commissioner</i> .....	Donald Knowlton
<i>Deputy Insurance Commissioner</i> ..	Simon M. Sheldon
<i>Judicial Council</i> .....	James L. Sullivan John H. Ramsey Robert E. Earley Frank R. Kenison John H. Leahy Robert W. Upton Maurice F. Devine Edward J. Gallagher H. Thornton Lorimer
<i>Labor Commissioner</i> .....	Robert M. Duvall
<i>Deputy Labor Commissioner</i> .....	Peter W. Collins
<i>Legislative Services Director</i> .....	Henry F. Goode
<i>Deputy Director</i> .....	Arthur G. Marx

<i>Librarian (State)</i> . . . . .	Emil W. Allen, Jr.
<i>Assistant Librarian</i> . . . . .	Elizabeth Ann Kingseed
<i>Liquor (State) Commission</i> . . . . .	Arnold T. Clement James P. Nadeau Costas S. Tentas
<i>Personnel Commission Director</i> . . . . .	Roy Y. Lang
<i>Deputy Director</i> . . . . .	Howard Haman, Jr.
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<i>Public Works and Highways Commis-</i> <i>sioner</i> . . . . .	John O. Morton
<i>Deputy Commissioner</i> . . . . .	Robert H. Whitaker
<i>Assistant Commissioner</i> . . . . .	John T. Flanders
<i>Racing (State) Commission</i> . . . . .	Emmet J. Kelley Robert D. Philbrick Leon W. Anderson
<i>Resources and Economic Development</i> <i>Commissioner</i> . . . . .	Roger J. Crowley, Jr.
<i>Director of Division of Resources</i> <i>Development</i> . . . . .	William H. Messeck, Jr.
<i>Director of Division of Economic</i> <i>Development</i> . . . . .	Elias A. McQuaid
<i>Director of Division of Parks</i> . . . . .	Russell B. Tobey
<i>Safety Department Commissioner</i> . . . . .	Robert W. Rhodes
<i>Division of Motor Vehicles Director</i>	Fred L. Johnson
<i>Road Toll Administrator</i> . . . . .	John J. Mara
<i>Financial Responsibility Adminis-</i> <i>trator</i> . . . . .	Kenneth H. Lewis
<i>State Police Division Director</i> . . . . .	Joseph L. Regan
<i>Division of Safety Services Director</i>	Oneil Houde
<i>State Coordinator of Highway Safety.</i>	Walter F. Mead
<i>State Buildings &amp; Grounds Superin-</i> <i>tendent</i> . . . . .	Arthur L. Petell, Jr.
<i>Sweepstakes Commission Director</i> . . . . .	Edward J. Powers
<i>Water Resources Board Chairman</i> . . . . .	George M. McGee, Sr.
<i>Fire Marshal (State)</i> . . . . .	Aubrey G. Robinson
<i>Tax Commission</i> . . . . .	Lawton B. Chandler Oliver W. Marvin John B. Evans

**S U P R E M E C O U R T**

<i>Chief Justice</i> .....	Frank R. Kenison
<i>Associate Justices</i> .....	Laurence I. Duncan Robert F. Griffith Edward J. Lampron William A. Grimes
<i>State Reporter and Clerk of Supreme Court</i> .....	George O. Shovan

**S U P E R I O R C O U R T**

<i>Chief Justice</i> .....	John H. Leahy
<i>Associate Justices</i> .....	Charles J. Flynn George R. Grant, Jr. William W. Keller Thomas J. Morris Martin F. Loughlin Richard P. Dunfey Hugh H. Bownes



# LEGISLATURE OF 1967

## SENATE

*President*—Stewart Lamprey, Moultonborough  
*Clerk*—Benjamin F. Greer, Manchester  
*Senate Recorder*—Esther T. Hurd, Concord  
*Sergeant-at-Arms*—Ray Burton, Bath  
*Messenger*—Herbert Howe, Tilton  
*Asst. Messenger*—Merton Webber, Windham  
*Doorkeeper*—Richard Odell, Temple

## SENATORS

Laurier Lamontagne, Berlin	Richard W. Leonard, Nashua
Wilfred J. Larty, Haverhill*	Richard D. Riley, Hooksett
Stewart Lamprey, Moultonborough	William P. Gove, Concord
Calvin J. Langford, Raymond	Lorenzo P. Gauthier, Manchester
Howard C. Townsend, Lebanon	Henry P. Sullivan, Manchester
Edith B. Gardner, Gilford	Paul E. Provost, Manchester
Nelson E. Howard, Franklin	Thomas Waterhouse, Jr., Windham
Harry V. Spanos, Newport	Lucien E. Bergeron, Rochester
John P. H. Chandler, Jr., Warner	James Koromilas, Dover
John R. Bradshaw, Keene	Thomas J. Claveau, Hudson
Robert English, Hancock	Arthur Tufts, Exeter
Creeley S. Buchanan, Amherst	Eileen Foley, Portsmouth

## HOUSE OF REPRESENTATIVES

*Speaker*—Walter R. Peterson, Jr., Peterborough  
*Clerk*—Francis W. Tolman, Nelson  
*Assistant Clerk*—J. Milton Street, Sharon  
*Sergeant-at-Arms*—Lloyd E. Fogg, Milan  
*Chaplain*—Rev. Peter W. Floyd, Concord  
*Custodian of Mail and Supplies*—Forrest A. Bucklin, Laconia  
*Assistant Mail Custodian*—Edward G. Masi, Alexandria  
*Doorkeeper*—Bertha E. Boutwell, Concord  
*Doorkeeper*—Florence T. Gould, Wentworth's Location  
*Doorkeeper*—Randolph Milligan, Newbury  
*Doorkeeper*—Herbert R. Richardson, Randolph  
*Doorkeeper*—Mary T. Vey, Brentwood

\*Deceased.

## BELKNAP COUNTY

**Dist. No. 1 (Center Harbor, New Hampton)**  
 H. Thomas Urie, r and d, New Hampton

**Dist. No. 2 (Meredith)**  
 Stuart B. Allan, r, Meredith  
 Nelson B. Piper, Jr., r, Meredith

**Dist. No. 3 (Sanbornton, Tilton)**  
 Olin A. Joslyn, r, Sanbornton  
 Earle F. Randall, r, Tilton

**Dist. No. 4 (Gilford)**  
 Lawrence W. Guild, r, Gilford

**Dist. No. 5 (Belmont)**  
 Lyle N. Watson, r, Belmont

**Dist. No. 6 (Barnstead, Gilmanton)**  
 George B. Roberts, r, Gilmanton

**Dist. No. 7 (Alton)**  
 Kenneth W. Chamberlain, Sr., r, Alton

**Dist. No. 8 (Laconia, Ward 1)**  
 Romeo R. deBlois, r, Weirs Beach  
 Walter D. McCarthy, r, Laconia

**Dist. No. 9 (Laconia, Ward 2)**  
 Ann G. Dearborn, d, Laconia  
 Margaret E. Normandin, d, Laconia

**Dist. No. 10 (Laconia, Wards 3 & 4)**  
 George A. Head, r, Laconia  
 Oscar C. Prescott, r, Laconia

**Dist. No. 11 (Laconia, Ward 5)**  
 Lucien R. Dulac, d, Laconia  
 \*David O'Shan, r, Laconia

**Dist. No. 12 (Laconia, Ward 6)**  
 Claude W. Foster, r, Laconia  
 George W. Stafford, r, Laconia

## CARROLL COUNTY

**Dist. No. 1 (Bartlett, Chatham, Hale's Loc., Hart's Loc., Jackson)**  
 Donald K. Howard, r, Bartlett

**Dist. No. 2 (Conway)**  
 Esther M. Davis, r, Conway  
 \*Dana J. Farrington, r, Conway  
 Milburn F. Roberts, r, Conway

**Dist. No. 3 (Albany, Eaton, Effingham, Freedom, Madison)**  
 J. Donald Hayes, r, Madison

**Dist. No. 4 (Sandwich, Tamworth)**

Earle H. Remick, r, Tamworth

**Dist. No. 5 (Moultonborough, Tuftonboro)**  
 Dorothy W. Davis, r, Moultonborough

**Dist. No. 6 (Ossipee)**  
 Edward P. Hickey, r, Ossipee

**Dist. No. 7 (Wolfeboro)**  
 Leslie M. Chamberlain, r, Wolfeboro  
 Russell G. Claffin, r, Wolfeboro

**Dist. No. 8 (Brookfield, Wakefield)**  
 Arthur H. Fox, r, Wakefield

## CHESHIRE COUNTY

**Dist. No. 1 (Walpole)**  
 Louis S. Ballam, r, Walpole  
 Donald H. Spitzli, r, Walpole

**Dist. No. 2 (Surrey, Westmoreland)**  
 Lawry W. Churchill, r, Westmoreland

**Dist. No. 3 (Alstead, Gilsum, Marlow)**  
 Roxie A. Forbes, r and d, Marlow

**Dist. No. 4 (Dublin, Harrisville, Nelson, Stoddard, Sullivan)**  
 C. R. Trowbridge, r, Dublin

**Dist. No. 5 (Marlborough, Roxbury)**  
 William L. Yardley, r, Roxbury

**Dist. No. 6 (Jaffrey)**  
 Charles R. Austin, r, Jaffrey  
 Andrew J. Bussiere, r, Jaffrey

**Dist. No. 7 (Troy)**  
 Charles L. McGinness, d, Troy

**Dist. No. 8 (Fitzwilliam, Rindge)**  
 James F. Allen, r, Rindge

**Dist. No. 9 (Richmond, Winchester)**  
 Jennie B. Bennett, r, Richmond  
 Elmer L. Johnson, r, Winchester

**Dist. No. 10 (Hinsdale)**  
 Clifford D. Stearns, r, Hinsdale

**Dist. No. 11 (Swanzy)**  
 Carroll K. Dunham, r, Swanzy  
 Jacob M. Hackler, r, Swanzy  
 Donald H. MacFarlane, r and d, Swanzy

**Dist. No. 12 (Chesterfield)**  
 James E. O'Neil, r, Chesterfield

**Dist. No. 13 (Keene, Ward 1)**  
 Jeremiah J. Keating, d, Keene  
 Chris J. Tasoulas, r, Keene  
 Margaret T. Webster, d, Keene

**Dist. No. 14 (Keene, Ward 2)**  
 Stephen W. Pollock, Sr., r, Keene  
 Michael J. Saunders, d, Keene

**Dist. No. 15 (Keene, Ward 3)**

Mildred E. Gutterson, r, Keene

Cleon E. Heald, r, Keene

**Dist. No. 16 (Keene, Ward 4)**

Lawrence H. MacKenzie, r, Keene

Robert A. Smith, r, Keene

**Dist. No. 17 (Keene, Ward 5)**

Sheldon L. Barker, r, Keene

Philip D. Moran, r, Keene

Laurence M. Pickett, d and r, Keene

**COOS COUNTY****Dist. No. 1 (Clarksville, Colebrook, Columbia, Dixville, Pittsburg, Stewartstown)**

Harry F. Huggins, r and d, Pittsburg

Harry N. Marsh, r, Colebrook

Chester D. Noyes, r and d, Stewartstown

**Dist. No. 2 (Erving's Grant, Northumberland, Odell, Stark, Stratford)**

Walter O. Bushey, d, Northumberland

Roger L. Hunt, d, Stratford

A. George Manning, d, Northumberland

**Dist. No. 3 (Kilkenny, Lancaster)**

Arthur M. Drake, r, Lancaster

Lloyd G. Sherman, r, Lancaster

**Dist. No. 4 (Whitefield)**

\*Ada C. Taylor, r and d, Whitefield

**Dist. No. 5 (Gorham)**

Richard E. O'Hara, d, Gorham

Otto H. Oleson, d, Gorham

**Dist. No. 6 (Berlin, Ward 1)**

Leon T. Dubey, d, Berlin

Guy J. Fortier, d, Berlin

Harry J. Sullivan, d, Berlin

**Dist. No. 7 (Berlin, Ward 2)**

Romeo A. Desilets, d, Berlin

Frank H. Sheridan, d, Berlin

Elmer H. York, d, Berlin

**Dist. No. 8 (Berlin, Ward 3)**

Hilda C. F. Brungot, r, Berlin

George Lemire, d, Berlin

Donald W. Williams, d, Berlin

**Dist. No. 9 (Berlin, Ward 4)**

Arthur A. Bouchard, d, Berlin

Rebecca A. Gagnon, d, Berlin

Emile J. Parent, d, Berlin

**Dist. No. 10 (Atkinson-Gilmanton Academy Grant, Bean's Grant, Bean's Purchase, Cambridge, Chandler's Purchase, Crawford's Purchase, Cutt's Grant, Dix's Grant, Dummer, Errol, Green's Grant, Hadley's Purchase, Low and Burbank's Grant, Martin's Location, Milan, Millsfield, Pinkham's Grant, Sargent's Purchase, Second College Grant, Shelburne, Success, Thompson and Meserve's Purchase, Wentworth's Location)**

George O. Thurston, r, Errol

**Dist. No. 11 (Carroll, Dalton, Jefferson, Randolph)**

William O. Emerson, r and d, Dalton

**GRAFTON COUNTY****Dist. No. 1 (Bethlehem, Littleton)**

Van H. Gardner, r, Littleton

Marcia Rich, r, Littleton

Malcolm J. Stevenson, r, Bethlehem

John H. Tilton, r, Littleton

**Dist. No. 2 (Easton, Franconia, Woodstock)**

St. Clair A. Berringer, r, Woodstock

**Dist. No. 3 (Lincoln, Livermore)**

Edna B. McGee, d, Lincoln

**Dist. No. 4 (Lisbon, Sugar Hill)**

Eugene N. Foss, II, r, Sugar Hill

**Dist. No. 5 (Bath, Benton, Landaff, Lyman, Monroe)**

George L. Frazer, Sr., r and d, Monroe

**Dist. No. 6 (Haverhill)**

Phil A. Bennett, r, Haverhill

Norman A. McMeekin, r, Haverhill

**Dist. No. 7 (Piermont, Warren, Wentworth)**

Fayne E. Anderson, r, Warren

**Dist. No. 8 (Lyme, Orford)**

Hazel I. Park, r, Lyme

**Dist. No. 9 (Hanover)**

John C. Cone, r, Hanover

John C. Manchester, r, Hanover

Mary M. Scott-Craig, d, Hanover

**Dist. No. 10 (Alexandria, Bridgewater, Dorchester, Grafton, Groton, Hebron, Orange)**

Manson B. Smith, r, Hebron

**Dist. No. 11 (Lebanon, Ward 1)**

George H. Beard, r and d, Lebanon

Rose S. Putnam, d, West Lebanon

**Dist. No. 12 (Lebanon, Ward 2)**  
 Roger M. Duhaime, d, Lebanon  
 Lucina A. Dulac, d, Lebanon  
**Dist. No. 13 (Lebanon, Ward 3)**  
 Shirley K. Merrill, r, Lebanon  
 Gladys L. Whipple, r, Lebanon  
**Dist. No. 14 (Canaan)**  
 Norman H. Ellms, r and d, Canaan  
**Dist. No. 15 (Enfield)**  
 Walter C. Morse, d, Enfield

**Dist. No. 16 (Bristol)**  
 Bowdoin Plumer, r, Bristol  
**Dist. No. 17 (Ashland)**  
 Thomas Pryor, r, Ashland  
**Dist. No. 18 (Plymouth)**  
 Kenneth G. Bell, r, Plymouth  
 Stephen W. Smith, Sr., r, Plymouth  
**Dist. No. 19 (Campton, Ellsworth, Holderness, Rumney, Thornton, Waterville)**  
 Richard L. Bradley, r, Thornton  
 Philip S. Willey, r, Campton

### HILLSBOROUGH COUNTY

**Dist. No. 1 (Antrim, Bennington)**  
 Ellerton H. Edwards, r, Antrim  
**Dist. No. 2 (Deering, Hillsborough, Windsor)**  
 Joseph M. Eaton, r, Hillsborough  
 David A. Sterling, r and d, Hillsborough  
**Dist. No. 3 (Weare)**  
 Frank N. Sawyer, r, Weare  
**Dist. No. 4 (Goffstown)**  
 Roland A. Barnard, d, Goffstown  
 F. Arthur Bartlett, d, Goffstown  
 Alice T. Knight, r, Goffstown  
 Roland E. Vallee, r, Goffstown  
 Charles A. Weilbrenner, d, Goffstown  
**Dist. No. 5 (Francestown, New Boston)**  
 Marjorie D. Colburn, r, New Boston  
**Dist. No. 6 (Greenfield, Hancock)**  
 Donald C. Davis, r, Greenfield  
**Dist. No. 7 (Peterborough, Sharon)**  
 Robert C. Brown, r, Peterborough  
 Walter R. Peterson, Jr., r, Peterborough  
**Dist. No. 8 (New Ipswich)**  
 Theodore H. Karnis, r, New Ipswich  
**Dist. No. 9 (Greenville)**  
 O. John Fortin, d and r, Greenville  
**Dist. No. 10 (Lyndeborough, Temple, Wilton)**  
 Philip C. Heald, Jr., r and d, Wilton  
 Edward G. Warren, r and d, So. Lyndeborough  
**Dist. No. 11 (Milford)**  
 Malcolm M. Carter, r, Milford  
 Roscoe N. Coburn, r, Milford  
 Charles W. Ferguson, Jr., r, Milford  
**Dist. No. 12 (Amherst, Mont Vernon)**  
 Orson H. Bragdon, r, Amherst  
 Roland E. Christie, Jr., r, Mont Vernon  
**Dist. No. 13 (Brookline, Hollis, Mason)**  
 Webster E. Bridges, Jr., r, Brookline  
 Daniel Brocklebank, r, Hollis

**Dist. No. 14 (Nashua, Ward 1)**  
 Maurice L. Bouchard, r, Nashua  
 Jean R. Wallin, d, Nashua  
**Dist. No. 15 (Nashua, Ward 2)**  
 Helen A. Barker, r, Nashua  
 Roland B. Burnham, r, Nashua  
 Marshall W. Cobleigh, r and d, Nashua  
**Dist. No. 16 (Nashua, Ward 3)**  
 Agenor Belcourt, d, Nashua  
 Roland H. LaPlante, d, Nashua  
 Romeo R. Lesage, d, Nashua  
**Dist. No. 17 (Nashua, Ward 4)**  
 A. Theresa Drabinowicz, d, Nashua  
 Samuel F. Mason, d, Nashua  
 Benjamin A. Reynolds, d, Nashua  
**Dist. No. 18 (Nashua, Ward 5)**  
 William A. Desmarais, d, Nashua  
 Ernest J. Marquis, d, Nashua  
 Arthur Poliquin, d, Nashua  
**Dist. No. 19 (Nashua, Ward 6)**  
 Francis J. Chamard, d, Nashua  
 John B. Dionne, d, Nashua  
 Edmund P. Sweeney, d, Nashua  
**Dist. No. 20 (Nashua, Ward 7)**  
 Adelard J. Aubut, d, Nashua  
 Ralph W. Boisvert, d, Nashua  
 Treffe G. Levesque, d, Nashua  
**Dist. No. 21 (Nashua, Ward 8)**  
 Robert A. Dion, d, Nashua  
 Eugene I. DuBois, d, Nashua  
 \*William O. Lavallee, d, Nashua  
**Dist. No. 22 (Nashua, Ward 9)**  
 Oscar P. Bissonnette, d, Nashua  
 John Latour, d, Nashua  
 Thomas J. Migneault, d, Nashua  
**Dist. No. 23 (Hudson)**  
 John M. Bednar, d, Hudson  
 Christopher F. Gallagher, d, Hudson  
 Paul D. Keenan, d, Hudson  
 Phyllis M. Keeney, r, Hudson

**Dist. No. 24 (Pelham)**

Miles J. Cares, d, Pelham  
Arthur H. Peabody, d, Pelham

**Dist. No. 25 (Merrimack)**

Herschel W. Cox, d, Merrimack  
John W. Wright, Jr., r, Merrimack

**Dist. No. 26 (Bedford, Litchfield)**

John A. Graf, r, Bedford  
John J. Loxton, r, Bedford  
Ralph M. Wiggin, r, Bedford

**Dist. No. 27 (Manchester, Ward 1)**

Greta M. Ainley, r, Manchester  
Charles F. Gordon, r, Manchester  
George A. Lang, r, Manchester  
Norman F. Milne, Jr., r, Manchester  
James Pettigrew, r, Manchester  
Emile J. Soucy, r, Manchester

**Dist. No. 28 (Manchester, Ward 2)**

Elmer R. Ackerson, Sr., d, Manchester  
Gerald J. Barrett, d, Manchester  
William J. Gardner, r, Manchester  
James L. Mahony, r, Manchester  
J. Henry Montplaisir, r, Manchester

**Dist. No. 29 (Manchester, Ward 3)**

George A. Bruton, d, Manchester  
Leo L. Dion, d, Manchester  
Armand L. Duhaime, d, Manchester  
Walter W. Pratt, d, Manchester

**Dist. No. 30 (Manchester, Ward 4)**

William J. Cullity, d, Manchester  
Walter F. McDermott, d and r, Manchester

John L. Welch, d and r, Manchester

**Dist. No. 31 (Manchester, Ward 5)**

William W. Corey, d, Manchester  
Thomas E. Manning, d, Manchester  
Edward J. Walsh, d, Manchester

**Dist. No. 32 (Manchester, Ward 6)**

Denis F. Casey, d, Manchester  
Edward D. Clancy, d, Manchester  
Frank T. Conway, d, Manchester  
Daniel J. Healy, d, Manchester

Joseph Lomazzo, d and r, Manchester

Michael F. O'Connor, d, Manchester

**Dist. No. 33 (Manchester, Ward 7)**

\*Theodore H. Charette, d, Manchester  
Edward T. LaFrance, d, Manchester  
Charles J. Leclerc, d, Manchester  
Albina S. Martel, d, Manchester

**Dist. No. 34 (Manchester, Ward 8)**

Alphonse L. Bernier, d, Manchester  
D. Ray Blanchard, d, Manchester  
Edward Champagne, d, Manchester  
Michel Chevrete, d, Manchester  
Eugene Delisle, Sr., d, Manchester  
Robert E. Raiche, d, Manchester  
Ernest Derome, d, Manchester

**Dist. No. 35 (Manchester, Ward 9)**

Michael P. Walsh, d, Manchester

**Dist. No. 36 (Manchester, Ward 10)**

Gerard H. Belanger, d, Manchester  
Alfred A. Bergeron, d, Manchester  
Edward J. Grady, d, Manchester  
James A. Sweeney, Jr., d, Manchester

**Dist. No. 37 (Manchester, Ward 11)**

George J. Hurley, d, Manchester  
Albert A. Martel, d, Manchester  
Robert J. Normand, d, Manchester

**Dist. No. 38 (Manchester, Ward 12)**

Armand Capistran, d, Manchester  
Alphonse Levasseur, d, Manchester  
Joseph C. Nalette, d, Manchester

**Dist. No. 39 (Manchester, Ward 13)**

Edmond Allard, d, Manchester  
Charles E. Daniel, d, Manchester  
Lucien G. Lambert, d, Manchester  
Hector J. Rousseau, d, Manchester  
Charles A. Soucy, d, Manchester

**Dist. No. 40 (Manchester, Ward 14)**

John A. Burke, d, Manchester  
Emmett J. Grady, d, Manchester  
Edward P. McGrail, d, Manchester  
Marcel A. Vachon, d, Manchester

**MERRIMACK COUNTY****Dist. No. 1 (New London)**

Paul B. Gay, r, New London

**Dist. No. 2 (Bradford, Newbury, Sutton)**

Kenneth L. Sherman, r, Newbury

**Dist. No. 3 (Warner, Webster)**

L. Waldo Bigelow, Jr., r, Warner

**Dist. No. 4 (Henniker)**

Diamond A. Maxwell, r, Henniker

**Dist. No. 5 (Dunbarton, Hopkinton)**

Robert H. Gile, r, Hopkinton  
Samuel Reddy, Jr., r, Hopkinton

**Dist. No. 6 (Bow)**

Richard D. Hanson, r, Bow

**Dist. No. 7 (Hooksett)**

\*George A. Cook, d, Hooksett  
Edward H. Enright, r, Hooksett

**Dist. No. 8 (Allenstown)**  
 Ovilla Gamache, d, Allenstown

**Dist. No. 9 (Pembroke)**  
 George E. Gordon, III, r, Pembroke  
 Constance Kersting, r, Pembroke

**Dist. No. 10 (Chichester, Epsom)**  
 Henry L. Stevens, r, Epsom

**Dist. No. 11 (Pittsfield)**  
 Saverio Buatti, r, Pittsfield  
 Ann L. Mousseau, r, Pittsfield

**Dist. No. 12 (Canterbury, Loudon)**  
 George D. Kopperl, r, Canterbury

**Dist. No. 13 (Northfield)**  
 Doris L. Thompson, r and d, Northfield

**Dist. No. 14 (Franklin, Ward 1)**  
 Howard R. Kelley, r, Franklin

**Dist. No. 15 (Franklin, Ward 2)**  
 Wiggin S. Gilman, d, Franklin  
 Theodore E. Kenney, d, Franklin

**Dist. No. 16 (Franklin, Ward 3)**  
 Stephen A. Greeley, r, Franklin  
 Leo LaRoche, d, Franklin

**Dist. No. 17 (Boscawen)**  
 Russell C. Mattice, r, Boscawen

**Dist. No. 18 (Andover, Salisbury)**  
 George A. Bork, r, Salisbury

**Dist. No. 19 (Danbury, Hill, Wilmot)**  
 Arthur E. Thompson, r, Wilmot

**Dist. No. 20 (Concord, Ward 1)**  
 Milton A. Cate, r, Concord  
 Edward H. York, d, Concord

**Dist. No. 21 (Concord, Ward 2)**  
 Alice Davis, r, Concord

**Dist. No. 22 (Concord, Ward 3)**  
 Arthur F. Henry, r, Concord

**Dist. No. 23 (Concord, Ward 4)**  
 Chellis H. Call, r, Concord  
 Charles H. Cheney, Sr., r, Concord  
 Walter B. Dame, r, Concord

**Dist. No. 24 (Concord, Ward 5)**  
 James C. Bingham, r, Concord  
 Roger A. Smith, r, Concord

**Dist. No. 25 (Concord, Ward 6)**  
 Chris K. Andersen, r, Concord  
 Wilfred B. Howland, r, Concord  
 Elwood Peaslee, r, Concord  
 Horace W. Sanders, r, Concord

**Dist. No. 26 (Concord, Ward 7)**  
 Arthur F. Babineau, r, Concord  
 Roland F. Fuller, r, Concord  
 Henry C. Newell, r, Concord  
 Arthur E. Roby, Sr., r, Concord

**Dist. No. 27 (Concord, Ward 8)**  
 Paul B. Maxham, r, Concord  
 Donald J. Welch, r and d, Concord

**Dist. No. 28 (Concord, Ward 9)**  
 Pasquale V. Rufo, r and d, Concord

### ROCKINGHAM COUNTY

**Dist. No. 1 (Deerfield, Northwood, Nottingham)**  
 John T. Fernald, r, Nottingham  
 Earl O. Tuttle, r, Northwood

**Dist. No. 2 (Candia)**  
 Karl J. Persson, r and d, Candia

**Dist. No. 3 (Auburn)**  
 Margaret A. Griffin, r and d, Auburn

**Dist. No. 4 (Londonderry)**  
 Peter C. Gaskill, r, Londonderry  
 Charles H. Hall, r, Londonderry

**Dist. No. 5 (Derry)**  
 Paul E. Brown, r, Derry  
 Charles H. Gay, r and d, Derry  
 Austin C. Gorham, r, Derry  
 Hayford T. Kimball, r, Derry  
 Robert J. Stratton, r and d, Derry

**Dist. No. 6 (Windham)**  
 Maurice E. Tarbell, r, Windham

**Dist. No. 7 (Salem)**  
 Donald E. Barron, r, Salem  
 Jeanette Gelt, r, Salem  
 Roy Morrill, r, Salem

Bessie M. Morrison, r, Salem  
 Leonard B. Peever, r, Salem  
 James A. Sayer, Jr., r, Salem

**Dist. No. 8 (Atkinson, Kingston)**  
 Ernest D. Clark, r, Kingston  
 George W. White, Sr., r, Atkinson

**Dist. No. 9 (Plaistow)**  
 Mildred L. Palmer, r, Plaistow  
 Anne Mae Schwaner, r, Plaistow

**Dist. No. 10 (Hampstead)**  
 Doris M. Spollett, r, Hampstead

**Dist. No. 11 (Danville, Fremont, Sandown)**  
 Charles Everett Cummings, r, Danville

**Dist. No. 12 (Chester, Raymond)**  
 \*Ivan C. Reed, Sr., r, Raymond  
 Russell E. Underwood, r, Chester

**Dist. No. 13 (Brentwood, Epping)**  
 Vera E. Goodrich, r, Epping  
 John Hoar, r, Epping

**Dist. No. 14 (Newmarket)**  
 F. Albert Sewall, d, Newmarket  
 John Twardus, d, Newmarket

**Dist. No. 15 (Newfields, Stratham)**

Nelson E. Barker, r, Stratham

**Dist. No. 16 (Exeter)**

Lyman E. Collishaw, r, Exeter

Edwin W. Eastman, r, Exeter

Albert J. Ferron, r, Exeter

F. Leroy Junkins, r, Exeter

Robert W. Varrill, r, Exeter

**Dist. No. 17 (East Kingston, Seabrook, South Hampton)**

Stanley A. Hamel, r and d, Seabrook

\*Montervill Leslie, r, Seabrook

**Dist. No. 18 (Newton)**

George L. Cheney, r, Newton

**Dist. No. 19 (Hampton Falls, Kensington)**

Bernice B. Barnes, r, Hampton Falls

**Dist. No. 20 (Hampton)**

Herbert A. Casassa, r, Hampton

John J. Ratoff, r, Hampton

C. Dean Shindledecker, r, Hampton

**Dist. No. 21 (North Hampton)**

James F. Leavitt, r, North Hampton

**Dist. No. 22 (New Castle, Rye)**

Jacob S. Ciborowski, r, Rye

Elizabeth A. Greene, r, Rye

Kathleen B. McDonough, r, New Castle

**Dist. No. 23 (Greenland, Newington)**

Edna B. Weeks, r, Greenland

**Dist. No. 24 (Portsmouth, Ward 1)**

William F. Keefe, d, Portsmouth

Ralph C. Maynard, d, Portsmouth

Archie D. McEachern, d, Portsmouth

**Dist. No. 25 (Portsmouth, Ward 2)**

Christopher W. Conlon, d, Portsmouth

Jeremiah Quirk, r, Portsmouth

Ann Sadler, d, Portsmouth

**Dist. No. 26 (Portsmouth, Ward 3)**

C. Cecil Dame, r, Portsmouth

Joseph A. McEachern, d, Portsmouth

Clayton E. Osborn, r, Portsmouth

**Dist. No. 27 (Portsmouth, Ward 4)**

J. Walter Jameson, r, Portsmouth

Julia H. White, r, Portsmouth

**Dist. No. 28 (Portsmouth, Ward 5)**

Fannie Gerber, d, Portsmouth

Edward J. Ingraham, d, Portsmouth

**Dist. No. 29 (Portsmouth, Ward 6)**

Wayne Bowlen, d, Portsmouth

Eileen G. Rossley, d, Portsmouth

**STRAFFORD COUNTY****Dist. No. 1 (Middleton, Milton)**

Ruth H. Dawson, r, Milton

**Dist. No. 2 (Farmington, New Durham, Strafford)**

Ralph W. Canney, r, Farmington

Robert B. Drew, r, Farmington

Idanelle T. Moulton, r, New Durham

**Dist. No. 3 (Barrington, Madbury)**

Dorothy B. Berry, r, Barrington

**Dist. No. 4 (Durham, Lee)**

Shirley M. Clark, r, Lee

Alexander Cochran, r, Durham

Leon M. Crouch, r, Durham

Loring V. Tirrell, r, Durham

**Dist. No. 5 (Rollinsford)**

Ronald J. Marcotte, d, Rollinsford

**Dist. No. 6 (Somersworth, Ward 1)**

Sarkis N. Maloomian, d, Somersworth

**Dist. No. 7 (Somersworth, Ward 2)**

Napoleon A. Habel, d, Somersworth

**Dist. No. 8 (Somersworth, Ward 3)**

Peter N. Chasse, d, Somersworth

Fred J. Coffin, d, Somersworth

**Dist. No. 9 (Somersworth, Ward 4 and Ward 5)**

Henry Boire, d, Somersworth

Joseph E. Fournier, d, Somersworth

**Dist. No. 10 (Rochester, Ward 1)**

Ernest L. Rolfe, r, Rochester

**Dist. No. 11 (Rochester, Ward 2)**

Winifred E. Hartigan, d, Rochester

Noreen D. Winkley, d, Rochester

**Dist. No. 12 (Rochester, Ward 3)**

Glenna H. Rubins, d, Rochester

Harold J. Vickery, r, Rochester

**Dist. No. 13 (Rochester, Ward 4)**

Leo E. Beaudoin, d, Rochester

Angeline M. St. Pierre, d, Rochester

**Dist. No. 14 (Rochester, Ward 5)**

Madalyn Brennan, d, Rochester

Harry S. Johnson, r, Rochester

**Dist. No. 15 (Rochester, Ward 6)**

Sandra J. Balomenos, r, Rochester

Anthony J. Corriveau, r, Rochester

**Dist. No. 16 (Dover, Ward 1)**

Alice F. Blanchette, d, Dover

Max W. Leighton, r, Dover

Albert L. Nelson, d, Dover

**Dist. No. 17 (Dover, Ward 2)**

Mary E. Bernard, d, Dover  
 Alfred J. Guilmette, d, Dover

**Dist. No. 18 (Dover, Ward 3)**

Fred H. Mudgett, r, Dover  
 Peter J. Murphy, d, Dover  
 John T. Young, r, Dover

**Dist. No. 19 (Dover, Ward 4)**

William E. Colbath, r, Dover  
 Paul R. McQuade, r, Dover  
 Aram Parnagian, r, Dover  
 Harriett W. B. Richardson, r, Dover

**Dist. No. 20 (Dover, Ward 5)**

John Maglaras, d, Dover

**SULLIVAN COUNTY****Dist. No. 1 (Grantham, Plainfield)**

Harlan D. Logan, r, Plainfield

**Dist. No. 2 (Cornish, Croydon)**

James F. Mackintosh, r, Cornish

**Dist. No. 3 (Claremont, Ward 1)**

William L. Gaffney, d, Claremont  
 Leroy H. Prudhomme, d, Claremont

**Dist. No. 4 (Claremont, Ward 2)**

George W. Angus, r, Claremont  
 Allan P. Campbell, r, Claremont  
 Sam J. Nabil, r, Claremont  
 Roma A. Spaulding, r, Claremont

**Dist. No. 5 (Claremont, Ward 3)**

Arthur W. Barrows, d, Claremont  
 Adolph J. Burrows, d, Claremont  
 Carmine F. D'Amante, d, Claremont

**Dist. No. 6 (Newport)**

Maurice H. Cummings, d, Newport  
 Maurice J. Downing, d, Newport  
 James A. Saggiotes, r, Newport

\*Herbert H. Wright, r, Newport

**Dist. No. 7 (Charlestown, Unity)**

Martha McD. Frizzell, r and d, Charlestown  
 Donald B. Galbraith, r and d, Charlestown

**Dist. No. 8 (Springfield, Sunapee)**

George R. Merrifield, r and d, Sunapee

**Dist. No. 9 (Acworth, Goshen, Langdon, Lempster, Washington)**

Stanley H. Williamson, r and d, Goshen

\*

David O'Shan, r, deceased.

Dana J. Farrington, r, deceased.

Ada C. Taylor, r and d, deceased.

William O. Lavallee, d, deceased.

Theodore H. Charette, d, resigned, replaced by Robert Thibeault, d.

George A. Cook, d, deceased.

Ivan C. Reed, Sr., r, deceased, replaced by Herbert W. Landrigan, d.

Montervill Leslie, r, deceased, replaced by Wilbur H. Crossland, r.

Herbert H. Wright, r, deceased.



# Special Session

June 13, 1966

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## CHAPTER 1.

AN ACT TO REMOVE THE TERMINATION DATE OF JULY 1, 1966 ON THE ONE  
CENT SUPPLEMENTAL ROAD TOLL.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**1:1 Combining All Road Tolls.** Amend RSA 265:4 by striking out in line two the word “four” and inserting in place thereof the word, seven, so that said section as amended shall read as follows: **265:4 Levy of Toll and Exemptions.** There is hereby imposed a road toll of seven cents per gallon upon the sale of each gallon of motor fuel sold by distributors thereof. The road toll shall be collected by the distributor from the purchaser and remitted to the state in the manner hereinafter set forth. Provided, that the road toll shall not apply to (a) sales to the United States or its agencies, (b) sales between duly licensed distributors, or (c) sales of motor fuel exported from the state.

**1:2 Purpose and Intent.** The purpose and intent of this act is only to continue in full force and effect, without any termination dates, all road tolls, supplemental road tolls, additional road tolls, and superadded road tolls in effect on the effective date hereof.

**1:3 Repeal.** RSA 265:5, supplemental road toll, RSA 265:5-a (supp) additional toll, as inserted by 1957, 273:1 and amended by 1959, 154:1, RSA 265:5-b (supp) superadded toll, as inserted by 1959, 154:2, and RSA 265:7, limiting time for collection, are hereby repealed.

**1:4 Takes Effect.** This act shall take effect upon its passage.  
[Approved June 13, 1966.]  
[Effective date June 13, 1966.]

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## CHAPTER 2.

AN ACT PROVIDING ADDITIONAL FUNDS FOR THE UNIVERSITY OF NEW  
HAMPSHIRE AND THE STATE COLLEGES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**2:1 University of New Hampshire.** In addition to the appropriation

provided for the higher education fund by Laws 1965, chapter 282, there is hereby appropriated for the fiscal year ending June 30, 1967, the sum of seven hundred and fifty thousand dollars. The additional sum hereby appropriated shall be for use for the university of New Hampshire, Plymouth state college and Keene state college for general purposes. The governor is authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

**2:2 Use of Funds.** For the fiscal year ending June 30, 1967, the millage formula provided by RSA 187:24 is hereby suspended and the sums appropriated by Laws, 1965, chapter 282 and by section 1 of this act, making a total of seven million one hundred and seventy five thousand dollars, shall be the total appropriation for the university of New Hampshire, Plymouth state college and Keene state college and shall be in lieu of requirements for appropriation under said RSA 187:24.

**2:3 Repeal.** The footnote relative to the higher education fund in Laws 1965, chapter 282, with limitations on the appropriation of additional funds, is hereby repealed.

**2:4 Takes Effect.** This act shall take effect July 1, 1966.

[Approved June 13, 1966.]

[Effective date July 1, 1966.]

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## CHAPTER 3.

### AN ACT RELATIVE TO STATE GUARANTEE OF MUNICIPAL BONDS AND WATER POLLUTION PROJECTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**3:1 Water Pollution Projects.** Amend RSA 149:5, as amended by 1957, 213:2; 1961, 182:1 and 1963, 167:1, by striking out the word "twenty-five" in the fifth line and inserting in place thereof the word, thirty-five, and by striking out the word "twenty-five" in the fourteenth line and inserting in place thereof the word, thirty-five, so that said section as amended shall read as follows: 149:5 **State Guarantee.** In view of the general public benefits resulting from the elimination of pollution from the public waters of the state, the governor and council are authorized in the name of the state of New Hampshire to guarantee unconditionally, but at no time in excess of the total aggregate sum for the entire state of thirty-five million dollars, the payment of all or any portion, as they may find to be in the public interest, of the principal of and interest on any bonds or notes issued by any municipality, town, city, county, or district for construction of sewage systems, sewage treatment and disposal plants, or other facilities necessary, required or desirable for pollution

control, and the full faith and credit of the state are pledged for any such guarantee. The outstanding amount of principal and interest on such bonds and notes, the payment of which has been guaranteed by the state under the provisions of this section, shall at no time exceed the amount of thirty-five million dollars. The state's guarantee shall be endorsed on such bonds or notes by the state treasurer; and all notes or bonds issued with state guarantee shall be sold (1) at public sealed bidding, (2) after publication of advertisement for bids, (3) to the highest bidder. Any and all such bids may be rejected and a sale may be negotiated with the highest bidder. In the event of default in payment of any such notes or bonds, the state may recover any losses suffered by it by action against the town as provided in RSA 530.

**3:2 Takes Effect.** This act shall take effect upon its passage.

[Approved June 13, 1966.]

[Effective date June 13, 1966.]

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L A W S  
OF THE  
STATE OF NEW HAMPSHIRE  
JANUARY SESSION OF 1967

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CHAPTER 1.

AN ACT APPROPRIATING FUNDS FOR EQUIPMENT FOR SECRETARY OF STATE.

WHEREAS the legislature has authorized the installation of new equipment for corporation records in the office of the secretary of state, and

WHEREAS, the amount previously appropriated has been found to be insufficient for the total necessary equipment, now therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**1:1 Appropriation.** The sum of three thousand, eight hundred dollars is hereby appropriated to be expended by the secretary of state for nine Kardex cabinets, three bases and four end panels for said cabinets, said equipment being necessary to complete transfer of corporation records. The sum of seven hundred dollars is hereby appropriated for the temporary employment of a clerk typist II. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**1:2 Effective Date.** This act shall take effect upon passage.

[Approved February 9, 1967.]

[Effective date February 9, 1967.]

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CHAPTER 2.

AN ACT PROHIBITING THE TAKING OF WILD TURKEYS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**2:1 Closed Season for Wild Turkeys.** Amend RSA 209:4 by inserting after the word "grouse" in line three the words (wild turkey) so that said section as amended shall read as follows: **209:4 Wood Ducks, etc.** There shall be no open season for wood duck, except by federal regulations,

quail or bobwhite, European partridge, spruce grouse, wild turkey, chukar partridge, and upland plover.

**2:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved February 9, 1967.]

[Effective date April 10, 1967.]

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### CHAPTER 3.

#### AN ACT EXEMPTING CERTAIN AGED PERSONS FROM LICENSE FEES FOR TAKING CLAMS AND OYSTERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**3:1 Taking Clams and Oysters.** Amend RSA 211 by inserting after section 62-a, as inserted by 1959, 194:2 the following new section:

**211:62-aa Exception for Aged Persons.** No fee shall be required for the issuance of a license under the provisions of section 62-a for taking clams, clam worms or oysters of a resident of the state who is seventy years of age or over.

**3:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved February 9, 1967.]

[Effective date April 10, 1967.]

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### CHAPTER 4.

#### AN ACT TO CLASSIFY A CERTAIN HIGHWAY IN THE TOWN OF WATERVILLE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**4:1 Class II Highway in Waterville.** After the effective date of this act a portion of the highway, known as the Tripoli Road, in the town of Waterville, extending 2.2 miles northwesterly from its junction with the Class II highway, known as the Waterville Valley Road, shall hereafter be classified as a Class II highway.

**4:2 Maintenance; Completed Portions.** Upon the completion and surfacing to the satisfaction of the commissioner of public works and highways, the department of public works and highways shall assume the full maintenance of the completed portions.

**4:3 Maintenance; Uncompleted Portions.** The department of public works and highways shall not maintain the uncompleted portions.

**4:4 Effective Date.** This act shall take effect upon its passage.

[Approved February 9, 1967.]

[Effective date February 9, 1967.]

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## CHAPTER 5.

AN ACT REQUIRING PUBLICATION OF APPARENT OWNER'S NAME ONLY IF  
VALUE OF ABANDONED PROPERTY IS TEN DOLLARS OR MORE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**5:1 Publication Limited.** Amend subparagraph (a) of paragraph II of RSA 471-A:13 (supp) as inserted by 1965, 214:1 by striking out said subparagraph and inserting in place thereof the following: (a) The names in alphabetical order and last known addresses, if any, of persons listed in the report who are owners of any property of the value of ten dollars or more and entitled to notice within the county.

**5:2 Effective Date.** This act shall take effect upon its passage.

[Approved February 16, 1967.]

[Effective date February 16, 1967.]

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## CHAPTER 6.

AN ACT TO PROVIDE ADDITIONAL RETIREMENT TO RETIRED MEMBERS OF  
THE POLICEMEN'S RETIREMENT SYSTEM.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**6:1 Additional Allowances for Certain Retired Permanent Policemen.** Any retired permanent policeman whose retirement benefit under the provisions of RSA 103 is less than one hundred dollars per month and who retired prior to May 1, 1961, shall, beginning with the month of January 1968, and monthly thereafter, but not beyond the month of December 1968, receive an additional monthly retirement allowance equal to twice the amount by which his regular monthly retirement benefit is less than one hundred dollars.

**6:2 Appropriation.** In addition to any other sums appropriated for the policemen's retirement system there is appropriated by this act the sum of two thousand nine hundred twenty five dollars and four cents to provide funds for the payment of the additional monthly retirement allowances provided by section 1 of this act. The governor is authorized to draw his warrant for the sum appropriated by this act out of any money in the treasury not otherwise appropriated.

**6:3 Effective Date.** This act shall take effect January 1, 1968.  
[Approved February 20, 1967.]  
[Effective date January 1, 1968.]

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## CHAPTER 7.

AN ACT PROVIDING THAT GENERAL LAWS SHALL TAKE PRECEDENCE OVER  
INCONSISTENT SAVINGS BANK CHARTER PROVISIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**7:1 Savings Banks.** Amend RSA 386 by inserting after section 1 the following new section: **386:1-a Inconsistent Charter Provisions.** Each savings bank shall have all the powers and shall be subject to all the duties and restrictions in the general statutes relating to savings banks, and the provisions of the general statutes shall prevail over any inconsistent charter provisions of any savings bank.

**7:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved February 20, 1967.]  
[Effective date April 21, 1967.]

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## CHAPTER 8.

AN ACT RELATIVE TO VERIFICATION OF SAVINGS DEPOSIT ACCOUNTS AND  
DUE BOOKS OF SHAREHOLDERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**8:1 Savings Banks.** Amend RSA 386:21 (supp) as amended by 1957, 258:2, 1959, 245:1 and 1965, 113:1 by striking out said section and inserting in place thereof the following: **386:21 Verification.** Every trust company, savings bank, cooperative bank and building and loan association shall, at its own expense, to such extent and in such manner as the commissioner shall prescribe, cause to be conducted a verification of individual savings deposit accounts or due books of share holders with the books of the company, bank or association.

**8:2 Repeal.** RSA 386:22 (supp) as amended by 1959, 245:2 relative to duty of depositors and RSA 386:23 relative notices required are hereby repealed.

**8:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved February 20, 1967.]  
[Effective date April 21, 1967.]



**CHAPTER 9.****AN ACT RELATIVE TO APPROPRIATIONS FOR FIVE AREA AGENTS IN AGRICULTURE.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**9:1 University of New Hampshire.** Notwithstanding any of the provisions of RSA 187:23 as amended by Laws 1965, chapter 357, section 1, the appropriation provided for by Laws 1965, 357:2 shall be available for the maintenance of the five area agents in agriculture for the period from January 1, 1967 to June 30, 1967, provided that the amount paid for each agent shall not exceed the sum of six thousand dollars for the year.

**9:2 Effective Date.** This act shall take effect as of January 1, 1967.

[Approved February 23, 1967.]

[Effective date January 1, 1967.]

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**CHAPTER 10.****AN ACT TO CORRECT THE SPELLING OF TENNEY MOUNTAIN HIGHWAY.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**10:1 Correct Spelling.** Amend section 269:1 of the Laws of 1965 by striking out in lines one and four the word "Tenny" and inserting in its place the word (Tenney) so that the section is amended to read as follows:  
**269:1 Tenney Mountain Highway.** Any highway connection from interstate route 93 interchange with route U. S. 3 in Plymouth to the intersection of routes N. H. 3-A and N. H. 25 in West Plymouth is named the Tenney Mountain Highway.

**10:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved February 23, 1967.]

[Effective date April 24, 1967.]

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**CHAPTER 11.****AN ACT RELATIVE TO REPRESENTATIVE TOWN MEETING GOVERNMENT.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**11:1 Adoption of Act.** Amend RSA 40-A:2 (supp) as inserted by 1961, 241:1 by striking out said section and inserting in place thereof the following: **40-A:2 Procedure.** Five per cent of the registered voters of

any such town may, not less than ninety days before its annual town meeting, file with the selectmen a petition that there be submitted to the voters of the town the matter of the acceptance of representative town meeting government specifying the number of precincts and members to be elected. The selectmen shall thereupon direct the town clerk to cause to be printed on the official ballot used for the election of town officers at such meeting substantially the following question: "Are you in favor of the town adopting representative town meeting government consisting of ..... precincts and ..... members as provided by RSA chapter 40-A" Yes ..... No ..... If a majority of the votes cast thereon are in the affirmative such representative town meeting government shall thereupon become effective in such town, all town meetings beginning with the next annual town meeting shall be so conducted except as hereinafter specially provided. Before any question shall be placed upon the ballot the number of precincts and members proposed shall be inserted thereon.

**11:2 Procedure.** Amend RSA 40-A:3 (supp) as amended by 1961, 241:1 by striking out the words "shall contain not less than four hundred" in lines five and six and inserting in place thereof the words (shall contain as nearly as possible an equal number of) so that said section as amended shall read as follows: **40-A:3 Voting Precincts: Establishment; Revision; Procedure; Meetings of Voters Regulated; Certain Laws Applicable.** Upon the adoption as aforesaid of such representative town meeting government by a town its selectmen shall forthwith divide the territory thereof into voting precincts, each of which shall be plainly designated and shall contain as nearly as possible an equal number of registered voters. The precincts shall be so established as to consist of compact and contiguous territory to be bounded, as far as possible, by the center line of known streets and ways or by other well-defined limits. Their boundaries shall be reviewed, and, if need be, wholly or partly revised, by the selectmen in December, once in five years, or in December of any year when so directed by a vote of a representative town meeting held not later than November twentieth of that year. The selectmen shall, within ten days after any establishment or revision of the precincts file a report of their doings with the town clerk, and the supervisors of the check-list, with a map or maps or description of the precincts and the names and residences of the registered voters therein. The selectmen shall also cause to be posted in the town hall a map or maps or description of the precincts as established or revised from time to time, with the name and residences of the registered voters therein; and they shall also cause to be posted in at least one public place in each precinct a map or description of that precinct, with the names and residences of the registered voters therein. The division of the town into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the selectmen with the town clerk. Whenever the precincts are established or revised, the town clerk shall forthwith give

written notice thereof to the secretary of state, stating the number and designation of the precincts. Meetings of the registered voters of the several precincts for elections, for primaries, and for voting upon any question to be submitted to all the registered voters of the town, shall be held on the same day and at the same hour and at such place or places within the town as the selectmen shall in the warrant for such meeting direct. The selectmen shall designate the polling place in one precinct as the one over which the moderator of the town shall preside. So far as the same are not inconsistent with this chapter the provisions of sections 43 through 53 inclusive of chapter 59 RSA relating to additional polling places shall apply to all elections and primaries in towns adopting this chapter. For the purposes of such application the voting place in the precinct at which the moderator of the town presides shall be the central polling place and the polling place in each of the other precincts shall be an additional polling place.

**11:3 Town Officers.** Amend RSA 40-A:4 (supp) as inserted by 1961, 241:1 by striking out said section and inserting in place thereof the following: **40-A:4 Town Meeting Members at Large.** In any town which shall adopt the provisions of this chapter the members of the board of selectmen, town clerk, chairman of town budget committee shall be members at large. The members at large shall have the same rights, privileges and duties with respect to representative town meeting as the elected members.

**11:4 Other Members.** Amend RSA 40-A:5 (supp) as inserted by 1961, 241:1 and amended by 1965, 289:3 by striking out said section and inserting in place thereof the following: **40-A:5 Elected Town Meeting Members.** The representative town meeting membership shall in each precinct consist of the largest number divisible by three which will admit of a representation in the approximate proportion which the number of registered voters therein bears to the total number of registered voters in the town. In addition to said elected representative members there shall be the town meeting members at large provided by section 4. Provided further that the total of elected member shall not be less than the total membership as provided by vote of the town in adopting this form of government. The registered voters in every precinct shall, at the first annual town election held after the establishment of such precinct, and the registered voters of any precinct affected by any revision of precincts at the first annual town election following such revision, conformably to the laws relative to elections not inconsistent with this chapter elect by ballot the number of registered voters in the precinct, other than the officers designated by section 4 as town meeting members at large, to be town meeting members of the town. The first third, in the order of votes received, of members so elected shall serve three years, the second third in such order shall serve two years and the remaining third in such order shall serve one year, from the day of the annual town meeting. In case of

a tie vote affecting the division into thirds, as aforesaid, the members elected from the precinct shall by ballot determine the same. Thereafter, except as is otherwise provided herein, at each annual town election the registered voters of each precinct shall, in like manner, elect, for the term of three years, one third of the number of elected town meeting members to which such precinct is entitled. The terms of office of all elected town meeting members from every precinct revised as aforesaid shall cease upon the election as hereinbefore provided of their successors. The town clerk shall, after every election of town meeting members, forthwith notify each such member by mail of his election.

**11:5 Members at Large.** Amend RSA 40-A:6 (supp) as amended by 1961, 241:1 by striking out the words "the by-laws of the town" in lines five and six and inserting in place thereof the words (section 4) so that said section as amended shall read as follows: **40-A:6 Representative Town Meetings; Procedure; Resignation, etc., of Members.** Any representative town meeting held under the provisions of this chapter, except as otherwise provided herein, shall be limited to the town meeting members elected under section 5 together with such town meeting members at large as may be provided for by section 4. The town clerk shall notify the town meeting members of the time and place at which representative town meetings are to be held, the notices to be sent by mail at least seven days before the meeting. The town meeting members, as aforesaid, shall be the judges of the election and qualifications of their members. A majority of the town meeting members shall constitute a quorum for doing business; but a less number may organize temporarily and may adjourn from time to time, but no town meetings shall adjourn over the date of an election of town meeting members. All town meetings shall be public. The town meeting members as such shall receive no compensation. Subject to such conditions as may be determined from time to time by the members of the representative town meeting, any registered voter of the town who is not a town meeting member may speak at any representative town meeting, but shall not vote. A town meeting member may resign by filing a written resignation with the town clerk and such resignation shall take effect on the date of such filing. A town meeting member who removes from the town shall cease to be a town meeting member, and a town meeting member who removes from the precinct from which he was elected to another precinct may serve only until the next annual town meeting.

**11:6 Change in Number.** Amend RSA 40-A:10 (supp)) as inserted by 1961, 241:1 by striking out said section and inserting in place thereof the following: **40-A:10 Vacancies in Membership, How Filled.** Any vacancy in the full number of town meeting members from any precinct, whether arising from a failure of the registered voters thereof to elect, or from any other cause, may be filled, until the next annual election, by the remaining members of the precinct from among the registered voters thereof. Upon petition therefor, signed by not less than fifty per cent of

the town meeting members from the precinct, notice of any vacancy shall promptly be given by the town clerk to the remaining members from the precinct in which the vacancy or vacancies exist, and he shall call a special meeting of such members for the purpose of filling such vacancy or vacancies. He shall cause to be mailed to every such member, not less than five days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At the said meeting a majority of the members from such precinct shall constitute a quorum, and they shall elect from their own number a chairman and a clerk. The choice to fill any vacancy shall be by ballot, and a majority of the votes cast shall be required for a choice. The chairman and clerk shall count the ballots and shall make a certificate of the choice and forthwith file the same with the town clerk, together with a written acceptance by the member or members so chosen, who shall thereupon be deemed elected and qualified as a town meeting member or members, subject to the right of all the town meeting members to judge of the election and qualifications of the members as set forth in section 6.

**11:7 Effective Date.** This act shall take effect upon its passage.

[Approved February 27, 1967.]

[Effective date February 27, 1967.]

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## CHAPTER 12.

### AN ACT REPEALING CERTAIN PROVISIONS RELATIVE TO USE OF SPINNERS, TAKING FRESH WATER SMELT, BAG LIMIT ON PICKEREL.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**12:1 Repeal.** RSA 211:13-a, as inserted by 1955, 106:1 and amended by 1957, 267:1 relative to use of spinners, RSA 211:15-a to 15-d, inclusive, as inserted by 1959, 231:1, relative to taking fresh water smelt in Smith River and Squam River, relative to bag limit for taking pickerel and prohibiting taking fresh water smelt and ice fishing in Christine Lake are hereby repealed.

**12:2 Effective Date.** This act shall take effect December 31, 1967.

[Approved March 2, 1967.]

[Effective date December 31, 1967.]

**CHAPTER 13.****AN ACT RELATIVE TO TECHNICAL INSTITUTES AND VOCATIONAL-TECHNICAL INSTITUTES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**13:1 Technical Institutes.** Amend RSA 188-A:2, as inserted by 1961, 267:1 by striking out said section and inserting in place thereof the following: **188-A:2 Technical Institutes.** The state board of education is hereby authorized and directed to establish technical institutes with dormitory facilities, within the limits of appropriations made therefor. Said institutes shall be centrally located where in the opinion of the board they will serve most advantageously the purposes of this chapter.

**13:2 Change in Number.** Amend RSA 188-A:5, as inserted by 1961, 267:1 by striking out said section and inserting in place thereof the following: **188-A:5 Vocational-Technical Institutes.** The state board of education is hereby authorized and directed to establish vocational-technical institutes in geographic areas throughout the entire state, as determined by the board and within the appropriations made for said vocational-technical institutes. The present schools located at Manchester and Portsmouth shall be designated as vocational-technical institutes.

**13:3 Advisory Committee.** Amend paragraph I of RSA 188-A:7, as inserted by 1961, 267:1 by striking out said paragraph and inserting in place thereof the following: **I. Duties.** It shall be the duty of this committee to advise the state board of education relative to the administration and programming of the technical institutes and vocational-technical institutes, thus assuring expert participation by management, labor, business and education.

**13:4 Requirements.** Amend RSA 188-A:8 as inserted by 1961, 267:1 by striking out said section and inserting in place thereof the following: **188-A:8 Tuition.** Tuition to each technical institute and to each vocational-technical institute established hereby shall be charged at such rate for each enrollee as the state board of education, with the consent of the governor and council, shall determine. Tuition received from the technical institutes and the vocational-technical institutes shall be paid to the state treasurer who shall keep a separate account thereof. If, in the opinion of the governor and council, additional funds are necessary to carry out the purposes hereof, said tuition funds may be used for that purpose and the state treasurer is authorized to pay out the same on the governor's manifest. Any balance in said fund at the close of each fiscal year shall be transferred to the general funds of the state and the appropriations made hereunder shall be reduced thereby.

**13:5 Application of Funds.** Amend RSA 188-A:9, as inserted by 1961, 267:1 by striking out said section and inserting in place thereof the

following: **188-A:9 Federal Funds.** Federal monies made available to the state under legislation passed prior to or after the passage of this chapter for technician and/or vocational-technical training may be applied to the reduction of the costs of the technical institutes and vocational-technical institutes within the provisions of federal legislation and the state appropriation reduced thereby.

**13:6 Loan Fund.** Amend RSA 188-A:10, as inserted by 1961, 267:1 by striking out said section and inserting in place thereof the following: **188-A:10 Revolving Fund.** The board of education is authorized, within the limits of the appropriation made therefor, to establish and administer a state revolving fund to be known as Loan Fund for the Technical Institutes and Vocational-Technical Institutes. The board shall prescribe regulations for the giving of loans to students at the technical institutes and the vocational-technical institutes who are in need of financial aid, the repayment of said loans or other requirements relative thereto. Any funds hereunder shall be kept in a special account by the state treasurer and any repayments of loans made hereunder shall be credited to said special account for continued use as a loan fund.

**13:7 Special Fund.** Amend RSA 188-A:11, as inserted by 1961, 267:1 by striking out said section and inserting in place thereof the following: **188-A:11 Building Projects Revolving Fund.** There is hereby established to be administered by the state department of education a state revolving fund to be known as the Building Projects Revolving Fund. The monies in said fund shall be used for the purpose of carrying on small building construction projects, including acquisition of real estate entered into by the vocational-technical institutes as a part of the instructional program for students enrolled in the building construction trades. The construction projects authorized hereunder shall be governed by the following rules: (1) No more than two such buildings per school may be in the process of construction at the same time. (2) After completion of a building no other may be started until the completed unit has been sold as hereinafter provided. When any building hereunder is completed the state board of education through its authorized representative, the chief of the division of vocational education, shall provide for and execute the sale of said building either at auction or by sealed bids. Funds received from the sale of said building under authority hereof shall be credited to the revolving fund thereby maintaining the revolving fund at an amount not to exceed eighteen thousand dollars. The excess, if any, shall be paid into the general funds of the state.

**13:8 Public High Schools.** Amend RSA 188-A:12, as inserted by 1961, 267:1, by striking out the word "schools" in line four and inserting in place thereof the word (institutes) so that said section as amended shall read as follows: **188-A:12 State Aid for Area Vocational Courses.** The state board of education is hereby authorized and directed to designate

certain approved vocational courses in public high schools as area vocational courses in those areas of the state where vocational-technical institutes as defined in sections 5 and 6 of this chapter have not been established. The state board is further authorized to pay from its regular budget tuition at a rate not to exceed that prescribed under RSA 194:27 for pupils attending these designated courses whose residence is in a school district maintaining a public high school but not offering an approved vocational course similar to that designated as an area vocational course. In the event that the sum in the budget for state aid for tuition is insufficient to pay the total amount of tuition of pupils as set forth above, the reduction shall be prorated among the total number of eligible pupils so attending. All payments of tuition under this section shall be made to the district treasurer of the districts offering approved area vocational courses and credited toward the tuition charge against each pupil.

**13:9 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 2, 1967.]

[Effective date May 1, 1967.]

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## CHAPTER 14.

### AN ACT RELATIVE TO TAKING MOOSE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**14:1 Wild Game.** Amend RSA 208:1-a (supp) as inserted by 1965, 83:1 by striking out the words "willfully shoot" so that said section as amended shall read as follows: **208:1-a — Moose.** No person shall, at any time, hunt, take, or have in his possession, any moose or any part of the carcass thereof, taken in this state.

**14:2 Prohibitions.** Amend RSA 208:21 (supp) as amended by 1955, 62:3 and 1965, 83:2 by striking out said section and inserting in place thereof the following: **208:21 Penalties.** A person who violates a provision of section 1 or section 7 hereof shall be fined not more than three hundred dollars or imprisoned for not more than thirty days, or both; a person who violates a provision of section 1-a hereof shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned for not more than thirty days, or both and no part of such sentence shall be suspended; a person who violates a provision of section 8, hereof, shall be fined not more than five hundred dollars or imprisoned for not more than thirty days, or both; a person who violates the remaining provisions of this chapter shall be fined as follows: for each violation of sections 2, 3, 4, 9-17, inclusive, not more than one hundred dollars, for each violation of sections 18 and 20, not more than ten dollars and not more than



five dollars additional for each rabbit, hare, or gray squirrel taken, or possessed, contrary to the provisions thereof.

**14:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 2, 1967.]

[Effective date May 1, 1967.]

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## CHAPTER 15.

### AN ACT RELATIVE TO BOUND COPIES OF COUNTY REPORTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**15:1 Annual Reports of County Officers.** Amend RSA 30:2 by striking out said section and inserting in place thereof the following: **30:2 Distribution.** The county commissioners shall forward one copy of said pamphlet to the town clerk of each town in the county, to be placed on file, and four copies to the secretary of state. The secretary of state shall cause copies of all ten counties to be suitably bound in one volume and keep one of the bound copies in his office and deposit the others in the state library.

**15:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 2, 1967.]

[Effective date May 1, 1967.]

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## CHAPTER 16.

### AN ACT RELATIVE TO DATES FOR PUBLIC HEARINGS ON REGULATIONS FOR TAKING FISH.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**16:1 Fishing Regulations.** Amend RSA 206:11 by striking out the word "July" where it occurs in the fifth and seventh lines and inserting in place thereof the word (June), and by striking out the figure "10 a.m." where it occurs in the fourth and sixth lines and inserting in place thereof the figure (8 p.m.), so that said section as amended shall read as follows: **206:11 — Hearings as to.** Once each year the director shall hold public hearings for the purpose of hearing interested parties with respect to his duties, as set forth in this title. Such hearings shall be held at the superior court house in Concord commencing at 8 p.m. on the first Monday after the fourth of June, and at the superior court house at Lancaster, commencing at 8 p.m. on the first Friday following the first Monday after

the fourth of June. It shall be the duty of the members of the commission to be in attendance at such hearings. In the event of the illness of the director, or a majority of the commission not being present, or other unforeseen contingency, such hearings shall be adjourned or postponed. In the event of such adjournment or postponement notice of the time of subsequent hearing shall be posted at such court house and given such other publicity as the director shall deem proper to give adequate notice thereof to interested parties. The director may in his discretion conduct other public or private hearings throughout the year upon petition of interested parties. At the annual hearings held at Concord and Lancaster and at other public hearings that the director shall hold in accordance with the provisions of this section, any person having any testimony to present which bears upon the power and authority of the director under the provisions of this title, shall be given full opportunity to be heard, and the director shall cause a complete stenographic record to be kept of all testimony taken.

**16:2 Effective Date.** This act shall take effect June 1, 1967.

[Approved March 2, 1967.]

[Effective date June 1, 1967.]

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## CHAPTER 17.

### AN ACT REPEALING PROVISION REQUIRING COVERING OF SNOW ON COVERED BRIDGE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**17:1 Repeal.** RSA 251:11, requiring that the travelled part of any covered bridge be kept covered with snow for winter travel, is hereby repealed.

**17:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 2, 1967.]

[Effective date May 1, 1967.]

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## CHAPTER 18.

### AN ACT RELATIVE TO THE STATE NURSES SCHOLARSHIP PROGRAM.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**18:1 Nurses Scholarships.** Amend RSA 326:31 as amended by 1959, 221:1 by inserting after the word "board." in line nine the words (The board is further authorized to require recipients who fail to meet the

terms of the written agreement to repay the state such amount of grant as the board shall determine. Such payments shall accrue in the state scholarship fund for nursing and may be used by the board for additional grants.) so that said section as amended shall read as follows: **326:31 Administration.** The program shall be administered by the state board of nursing education and nurse registration on the basis of financial need only. Applications shall be received from those student nurses who have successfully met pre-nursing qualifications as established by the board or are registered nurses. The board may make reasonable rules and regulations to carry out the purposes of this act. The board is authorized to require recipients of assistance to enter into written agreements to render a substantial period of service within the state upon completion of training or graduate program, as determined by the board. The board is further authorized to require recipients who fail to meet the terms of the written agreement to repay the state such amount of grant as the board shall determine. Such payments shall accrue in the state scholarship fund for nursing and may be used by the board for additional grants. The board shall annually certify to the state treasurer the names of recipients and amounts of scholarship aid awarded to each.

**18:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 3, 1967.]

[Effective date May 2, 1967.]

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## CHAPTER 19.

TO PROVIDE THAT THE CHAIRMAN OF THE COMMISSION ON INTERSTATE  
COOPERATION BE ELECTED.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**19:1 Election of Chairman.** Amend RSA 19:2 by striking out the entire section and inserting in its place the following: **19:2 Membership.** The commission is composed of fifteen members, one of whom is the attorney-general and fourteen of whom are appointed as follows: five members of the senate by the president of the senate, five members of the house of representatives by the speaker of the house, and four officials of the state by the governor. The chairman shall be elected for a term of two years by the members of the commission. A record of the proceedings of the commission shall be kept in the office of the attorney-general.

**19:2 Effective Date.** This act shall take effect upon its passage.

[Approved March 8, 1967.]

[Effective date March 8, 1967.]

**CHAPTER 20.****AN ACT RELATIVE TO VALIDATION OF DEEDS LACKING ACKNOWLEDGMENT.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**20:1 Acknowledgment.** Amend the title of RSA 477:16 (supp) as amended by 1963, 65:1 by striking out the title and inserting in its place the following: **Deeds Lacking Statement of Consideration, or Seals, or Witnesses, or Acknowledgments, Validated.** Further amend the section by inserting after the word “witnessed” in line six the words, or because it was not acknowledged or because it was not validly acknowledged, and by inserting after the word “witnessed” in line ten the words, or had been acknowledged, so that the section as amended shall read as follows: **477:16 Deeds Lacking Statement of Consideration, or Seals, or Witnesses or Acknowledgments, Validated.** When any instrument of writing shall have been on record in the office of the register of deeds in the proper county for the period of ten years, and there is a defect in such instrument because it omitted to state any consideration therefor or because it was not sealed by the grantors or any of them, or because it was not witnessed or because it was not acknowledged or because it was not validly acknowledged, such instrument shall, from and after the expiration of ten years from the filing thereof for record, be valid as though such instrument had, in the first instance, stated the consideration therefor or had been sealed by all of the grantors or had been witnessed or had been acknowledged in full compliance with requirements of law, and such instrument shall, after the expiration of ten years from the filing of the same for record, impart to subsequent purchasers, incumbrancers and all other persons whomsoever, notice of such instrument of writing so far as and to the same extent that the same then be recorded, copied or noted in such books of record, notwithstanding such defect. Provided that nothing herein contained shall be construed to affect any rights acquired by grantees, assignees or incumbrancers subsequent to the filing of such instrument for record and prior to the expiration of ten years from the filing of such instrument for record; and provided further, that this section shall not apply to conveyances or other instruments of writing, the validity of which is brought in question in any suit now pending in any of the courts of the state.

**20:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 8, 1967.]

[Effective date May 7, 1967.]

**CHAPTER 21.**

AN ACT RELATIVE TO LICENSES IN CONDEMNATION PROCEEDINGS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**21:1 License Granted Without Hearing.** Amend RSA 371:20 by adding at the end of the section the words (Provided, however, that such license may be granted without hearing when all interested parties are in agreement) so that the section as amended shall read as follows: **371:20 Hearing; Order.** The commission shall hear all parties interested, and, in case it shall find that the license petitioned for, subject to such modifications and conditions, if any, and for such period as the commission may determine, may be exercised without substantially affecting the public rights in said waters or lands, it shall render judgment granting such license. Provided, however, that such license may be granted without hearing when all interested parties are in agreement.

**21:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 8, 1967.]

[Effective date May 7, 1967.]

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**CHAPTER 22.**

AN ACT REQUIRING FILING OF NOTIFICATION OF APPLICATIONS FOR STATE PARTICIPATION IN CERTAIN FEDERAL PROGRAMS AND MAKING OF REPORTS RELATIVE THERETO.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**22:1 Federal Aid Programs.** Amend RSA 124 by inserting after section 6 the following new subdivision:

**State Participation**

**124:7 Notification Required.** Whenever a state agency makes application, enters into a contract or agreement or submits state plans for participation in and for grants of federal funds under any federal law which are not appropriated by the general court, said agency shall at the time of such action notify the comptroller, the fiscal committee of the legislature, and coordinator of federal funds and whenever any such application, contract, agreement or state plan is amended, the agency shall notify each such officer and the committee.

**124:8 Reports.** Such agency shall furnish to each such officer and the committee a progress report in relation to each such application, contract, agreement or state plan at least once in each six months period following

the date of the filing of the application, contract, agreement or state plan and shall also file a final report as to the final disposition of each such application, contract agreement or state plan.

**124:9 Form and Content.** The form and content of the notifications and reports required by sections 7 and 8 shall be prescribed by the fiscal committee of the legislature but shall in any event include (a) the nature of the program in question (b) the duration of the program in question (c) the federal and state funds required for program initiation and the source of state funds (d) estimate of the federal and state funds required to continue the program after the initial funding and the source of state funds unless specifically exempted by said committee and the committee may exempt the department of employment security from any of the provisions of this subdivision to the extent and in the manner determined by it.

**22:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 8, 1967.]

[Effective date May 7, 1967.]

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## CHAPTER 23.

### AN ACT TO REGULATE THE AMOUNT OF RESERVES REQUIRED FOR STATE BANKS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**23:1 Reserves For Trust Companies.** Amend RSA 390:6 by striking out said section and inserting in its place the following: **390:6 Reserves.** Every such corporation shall at all times maintain as a reserve an amount equal to at least twelve per cent of the aggregate amount of its demand deposits plus an amount equal to at least five per cent of the aggregate amount of its time and savings deposits. Not less than sixty per cent of such reserve shall consist of lawful money of the United States of America or balances due from other banks. The balance of such reserve shall be in obligations of the United States of America which shall mature within two years. The board of trust company incorporation created under RSA 392 may vary the amount of reserve required and the percentages of the composition of such reserve, provided, however, that said board shall not increase the amount of reserve required for any bank to an amount in excess of that which is required by the Federal Reserve System of similar banks located in this state which are members of the Federal Reserve System. No new loan or investment shall be made by such corporation when its reserve is not in accordance with the requirements of this section.

**23:2 Reserves for Savings Banks.** Amend RSA 387:2 (supp) as amended by 1963, 326:4 by striking out said section and inserting in its place the following: **387:2 Requirements; Exception.** Savings banks shall maintain a reserve of not less than five per cent of the amount of their deposits in cash, including balances in other banks, and/or obligations of the United States of America at par value the maturity of which shall not exceed five years, and shall make investment of the balance of their funds only in the classes of securities and loans authorized by this chapter, provided, however, that said requirement with respect to said reserve shall not apply to any bank which is a member of the Federal Reserve System; and provided further that a savings bank which, as of July 1, 1963, is unable to comply with the requirements of this section without loss, on account of holding certain long-term obligations of the United States of America, may delay compliance with the requirements hereof with the approval of the bank commissioner.

**23:3 Savings Deposits In Trust Companies.** Amend RSA 390:9 by striking out said section and inserting in its place the following: **390:9 Savings Deposits.** Every such corporation receiving savings deposits or transacting the business of a savings bank shall:

I. Keep invested only in the classes of securities and loans authorized for savings banks an amount, which when added to its reserves, is not less than the aggregate amount of all its savings deposits, subject to the limitations, however, contained in RSA 387:3, and may invest the balance of its funds in loans and investments authorized for the commercial department of a trust company under the provisions of RSA 392:39 and 40.

II. Immediately before declaring a dividend on savings deposits, set apart as a guaranty fund a sum equal to that portion of one quarter of one per cent of the savings deposits on the date of the dividend as the length of period covered by the dividend bears to a period of twelve months. The said sums shall continue to be set apart until the guaranty fund amounts to five per-cent of the savings deposits. The guaranty fund shall be invested in securities and loans which are legal investments for savings banks. Further additions to the guaranty fund shall be at the discretion of the board of directors, and any sum in the guaranty fund in excess of the required five per cent of savings deposits may be transferred to the general fund at the discretion of the board of directors. Such guaranty fund shall be maintained as security for savings deposits.

**23:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 10, 1967.]

[Effective date May 9, 1967.]

**CHAPTER 24.****AN ACT TO FIX THE PLACE OF FILING DECLARATIONS OF CANDIDACY FOR  
MEMBER OF HOUSE OF REPRESENTATIVES IN PRIMARY ELECTIONS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**24:1 Primary Elections and Nominations of Candidates.** Amend RSA 56:13 (supp) as amended by 1965, 330:4 by inserting in line five after the word "representatives" the words (in a representative district containing one town or ward); and by inserting in line eight after the word "for" the sentence (In a representative district containing more than one town or ward the declaration of candidacy by the candidate shall be filed with the clerk of the city or town in which the candidate resides.) so that the said section as amended shall read as follows: **56:13 — Filing.** Declarations of candidacy shall be filed as follows: For governor, United States senator or any other officer to be voted for throughout the state, representative in congress, councilor, state senator and for county officer, with the secretary of state; for member of the house of representatives in a representative district containing one town or ward, moderator, supervisor of the check-list, ward clerk, selectman of a ward where such officers are elected at the biennial election and delegate to a state convention, with the clerk of the city or town within which such officers are to be voted for. In a representative district containing more than one town or ward the declaration of candidacy by the candidate shall be filed with the clerk of the city or town in which the candidate resides. Persons from unincorporated places shall file with the town clerks of the towns designated by the secretary of state as the place to file under RSA 59:126.

**24:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 10, 1967.]

[Effective date May 9, 1967.]

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**CHAPTER 25.****AN ACT RELATIVE TO THE ELECTION OF DELEGATES TO STATE PARTY  
CONVENTIONS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**25:1 Delegates to State Party Convention.** Amend paragraph III of RSA 56:5 (supp) as amended by 1965, 330:25 by inserting in said paragraph in the proper county and proper number of the district the following to indicate the number of delegates from the respective districts:



Belknap County	District No. 3	Sanbornton	1
		Tilton	1
Grafton County	District No. 19	Ellsworth	1
		Holderness	1
		Campton	1
		Rumney	1
		Thornton	1
		Waterville	1
Rockingham County	District No. 1	Northwood	1
		Deerfield	1
		Nottingham	1

**25:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 10, 1967.]

[Effective date May 9, 1967.]

CHAPTER 26.

AN ACT TO CORRECT CERTAIN ERRORS RESULTING FROM THE CHANGES IN  
THE APPORTIONMENT OF REPRESENTATIVES AND SENATORS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**26:1 Senatorial District.** Amend RSA 62:12 (supp) as amended by 1961, 273:1 and 1965, 220:1 by inserting after the words "Bean's Grant" the words (Bean's Purchase) so that said section as amended shall read as follows: **62:12 District 1.** Senatorial district number one contains Berlin, Carroll, Clarksville, Dummer, Errol, Gorham, Jefferson, Milan, Pittsburg, Randolph, Shelburne, Wentworth's Location and the following unincorporated places: Bean's Grant, Bean's Purchase, Cambridge, Chandler's Purchase, Crawford's Purchase, Cutt's Grant, Dixville, Dix's Grant, Erving's Grant, Gilmanton and Atkinson Academy Grant, Green's Grant, Hadley's Purchase, Kilkenny, Low and Burbank's Grant, Martin's Location, Millsfield, Pinkham's Grant, Sargent's Purchase, Second College Grant, Success, and Thompson and Meserve's Purchase.

**26:2 Coos County.** Amend the apportionment for district No. 10, paragraph IV of RSA 66:3 (supp) as amended by 1965, 216:3 by inserting after the words "Bean's Grant" the words (Bean's Purchase) so that said district No. 10 as amended shall read as follows:

District No. 10    Second College Grant  
                         Millsfield  
                         Wentworth Location  
                         Dummer  
                         Milan

Shelburne	
Success	
Errol	
Cambridge	
Atkinson-Gilmanton Academy Grant	
Dix's Grant	
Martin's Location	
Green's Grant	
Pinkham's Grant	
Sargent's Purchase	
Thompson and Meserve's Purchase	
Hadley's Purchase	
Cutt's Grant	
Bean's Grant	
Bean's Purchase	
Chandler's Purchase	
Crawford's Purchase	
Low and Burbank's Grant	1

**26:3 Grafton County.** Amend the apportionment for district No. 4, paragraph V of RSA 66:3 (supp) as amended by 1965, 216:3 by inserting after the word "Lisbon" the words (Sugar Hill) so that said district No. 4 as amended shall read as follows:

District No. 4	Lisbon	
	Sugar Hill	1

**26:4 Election of County Officers.** Amend RSA 64:1-a (supp) as inserted by 1955, 261:2 by striking out in line eight the words "and Monroe" and inserting in place thereof the following: (Monroe and Sugar Hill) and by striking out in lines five and six the word "Livermore" so that said section as amended shall read as follows: **64:1-a Grafton County Districts.** The county of Grafton is divided into three districts for the purpose of choosing county commissioners and each district is entitled to elect one commissioner. The districts for said county shall be formed and limited in manner following: District 1: Canaan, Dorchester, Enfield, Grafton, Hanover, Lebanon, Lyme, Orford, Orange and Piermont; District 2: Bath, Benton, Bethlehem, Easton, Franconia, Haverhill, Landaff, Lisbon, Littleton, Lyman, Monroe and Sugar Hill; District 3: Alexandria, Ashland, Bridgewater, Bristol, Campton, Ellsworth, Groton, Hebron, Holderness, Lincoln, Plymouth, Rumney, Thornton, Warren, Waterville, Wentworth and Woodstock.

**26:5 County Commissioner Districts.** Amend paragraph VII of RSA 64:11 by striking out said paragraph and inserting in place thereof the following: **VII. Coos:** District 1, Berlin, Gorham, Milan, Shelburne, Dummer and Randolph and the following unincorporated places; Bean's Grant, Bean's Purchase, Chandler's Purchase, Crawford's Purchase, Cutt's

Grant, Green's Grant, Hadley's Purchase, Low & Burbank's Purchase, Martin's Location, Pinkham's Grant, Sargent's Purchase and Thompson & Meserve's Purchase; district 2, Lancaster, Whitefield, Carroll, Dalton, Northumberland, Stark and Jefferson; and the following unincorporated place; Kilkenny; district 3, Colebrook, Stratford, Pittsburg, Stewartstown, Millsfield, Clarksville, Columbia, Errol and Wentworth's Location and the following unincorporated places; Atkinson & Gilmanton Academy Grant, Cambridge, Dix's Grant, Dixville, Erving's Grant, Odell and Second College Grant.

**26:6 Effective Date.** This act shall take effect January 1, 1968.

[Approved March 16, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 27.

### AN ACT RELATIVE TO THE SEASON FOR TAKING RACCOONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**27:1 Fur Bearing Animals.** Amend RSA 210:2 as amended by 1959, 151:1 by striking out in line two the words "September first to December first" and inserting in place thereof the words (August first to December first) so that said section as amended shall read as follows: **210:2 Raccoons.** Raccoons may be taken and possessed with the aid of and by the use of a dog and gun from August first to December first. No person shall take more than three raccoons from twelve noon of one day to twelve noon of the following day, nor more than twenty-five raccoons in one season. No person shall hunt raccoons at night by the use of a rifle, revolver, or pistol larger than twenty-two calibre long rifle or by the use of shotgun shells carrying shot larger than number four or by the use of light other than a kerosene lantern exclusive of the pressure type or a flashlight with more than seven cells. No person shall take or attempt to take raccoons by use of a light from a motor vehicle.

**27:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 16, 1967.]

[Effective date May 15, 1967.]

**CHAPTER 28.****AN ACT TO LIMIT THE SIZE OF HUNTING PARTIES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**28:1 Taking Wild Deer.** Amend RSA 208:7 by adding at the end thereof the words; (It shall be unlawful for more than six persons to participate in a joint hunt for deer, wherein an effort is made to drive deer) so that said section as amended shall read as follows: **208:7 Limit, Manner of Hunting.** No person shall take more than one deer in any one season. No person shall hunt or take deer with the aid or by the use of a dog, jack, or other artificial light, trap, snare, salt lick, swivel, pivot or set gun. No person shall drive deer by the use of horns, whistles, or other noise-making devices. It shall be unlawful for more than six persons to participate in a joint hunt for deer, wherein an effort is made to drive deer.

**28:2 Effective Date.** This act shall take effect September 1, 1967.

[Approved March 16, 1967.]

[Effective date September 1, 1967.]

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**CHAPTER 29.****AN ACT RELATIVE TO BID BONDS ISSUED IN CONNECTION WITH ANY PUBLIC OR PRIVATE CONTRACT.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**29:1 Bid Bonds.** Amend RSA 405:18 by adding at the end thereof the following sentence (Provided, however, that the provisions of this section shall not apply to bid bonds issued in connection with any public or private contract) so that said section as amended shall read as follows: **405:18 Insuring Through Agents.** Foreign insurance or surety companies, although authorized to transact business within this state, shall only make, write, place, or cause to be made, written, or placed, policies or contracts of insurance or suretyship which are to be effective within this state, through agents who are residents of this state and who are regularly commissioned and licensed to transact business here. Provided, however, that the provisions of this section shall not apply to bid bonds issued in connection with any public or private contract.

**29:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 16, 1967.]

[Effective date May 15, 1967.]

**CHAPTER 30.****AN ACT REPEALING REQUIREMENTS FOR CERTIFICATES TO COUNTY  
ATTORNEY REGARDING ENFORCEMENT OF DOG LAW.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**30:1 Repeal.** RSA 466:17 and 18, requiring certificates to be sent to county attorney relative to issuance of warrants for killing of dogs, are hereby repealed.

**30:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 16, 1967.]

[Effective date May 15, 1967.]

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**CHAPTER 31.****AN ACT REPEALING PROVISIONS ALLOWING SELECTMEN TO EXEMPT  
VEHICLES FROM DISPLAYING LIGHTS THEREON.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**31:1 Repeal.** RSA 250:6 and 7, relative to the authority of selectmen to exempt vehicles from displaying lights thereon, are hereby repealed.

**31:2 Vehicles.** Amend RSA 250:5 (supp) as amended by 1965, 359:1 by striking out the words "except as herein otherwise provided" in line one and two so that said section as amended shall read as follows:

**250:5 Period of Lighting.** Every vehicle, including bicycles, whether stationary or in motion, on any public highway or bridge, shall have attached to it a light or lights, which shall be so displayed as to be visible from the front and rear, during the period from one-half hour after sunset to one-half hour before sunrise.

**31:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 16, 1967.]

[Effective date May 15, 1967.]

**CHAPTER 32.**

AN ACT PROVIDING AUTHORITY TO DISREGARD ERRORS OF LESS THAN ONE DOLLAR IN PAYMENT OF INCOME TAX.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**32:1 Authority to Disregard Minor Errors.** Amend RSA 77 by inserting after section 27 the following new section: **77:27-a Minor Over or Under Payments Disregarded.** Whenever it appears upon audit of his return that a taxpayer has overpaid his tax or has failed to pay the correct amount due and the discrepancy is less than one dollar, the director may, in his discretion, disregard the error and consider the matter closed if in his opinion the cost to the state to rectify the error would exceed the amount involved.

**32:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 16, 1967.]

[Effective date May 15, 1967.]

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**CHAPTER 33.**

AN ACT ELIMINATING A CLOSED SEASON ON SKUNK AND INCREASING PENALTIES FOR TAKING FUR-BEARING ANIMALS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**33:1 Fur-Bearing Animals.** Amend RSA 210:1, as amended by 1955, 65:1; 97:1, 1957, 151:1, and 1959, 189:1 by striking out the word "skunk" when it occurs in lines one and three so that said section as amended shall read as follows: **210:1 Otter, Mink and Muskrat.** Otter, mink and muskrat may be taken and possessed from October twentieth to February first in Coos, Carroll and Grafton counties. Otter, mink and muskrat may be taken and possessed from November first to March thirty-first in all other counties of the state. In addition to the above open seasons, otter may be taken and possessed at any time and any place when the director has declared an open season as provided in section 5.

**33:2 Increase in Penalties.** Amend RSA 210:19 by striking out the word "ten" in line three and inserting in place thereof the words (one hundred) and by striking out the word "skunk" in line four so that said section as amended shall read as follows: **210:19 Fines.** A person who violates a provision of this chapter shall be fined as follows: For each violation of sections 1 to 4, inclusive, and sections 11 to 14, inclusive, not more than one hundred dollars and not more than five dollars additional

for each otter, mink, muskrat, raccoon, taken or possessed contrary to the provisions thereof, and not more than fifty dollars additional for each sable, marten or fisher so taken or possessed; for each violation of sections 15 and 16, not more than five hundred dollars, and such person shall be liable for twice the amount of the damage caused by his act, to be recovered by the person or his estate sustaining the injury or loss, and for each violation of section 17, not more than fifty dollars.

**33:3 Effective Date.** This act shall take effect sixty days after passage.

[Approved March 17, 1967.]

[Effective date May 16, 1967.]

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## CHAPTER 34.

### AN ACT RELATIVE TO DISTRIBUTION OF PRIMARY BALLOTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**34:1 Primary Election Ballots.** Amend RSA 56:32 (supp) as amended by 1963, 76:1 by striking out said section and inserting in place thereof the following: **56:32 Number.** Not later than six days before a primary the secretary of state shall furnish to the clerk of each town and ward ballots for each political party as follows: For each fifty and fraction of fifty voters of each party, as he may determine from the number of voters of the respective party on the checklist as used at the last preceding primary election, sixty ballots of said party, except that when any party has less than ten voters on said checklist he shall furnish twenty-five ballots.

**34:2 Report to Secretary of State.** Amend RSA 56 by inserting after section 42 the following new section: **56:42-a Number of Names.** The supervisors shall certify to the secretary of state the total number of voters registered in each party on the checklist as used at each primary. This report shall be forwarded to the secretary of state within ten days after the primary.

**34:3 Special Provisions.** For use in sending ballots to towns and wards for the 1968 primary the secretary of state shall contact supervisors relative to checklists used at the 1966 primary and ascertain the number of voters registered in each party at said election.

**34:4 Effective Date.** This act shall take effect January 1, 1968.

[Approved March 23, 1967.]

[Effective date January 1, 1968.]

**CHAPTER 35.****AN ACT EXTENDING VETERANS' TAX EXEMPTION TO VETERANS OF THE  
VIET NAM CONFLICT.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**35:1 Exemption Extended.** Amend paragraph I of RSA 72:28 (supp) as amended by 1955, 289:1 and 1963, 49:1, 118:1 and 324:1 by striking out in line four the word "or" and inserting after the word "Conflict" the words (or Viet Nam Conflict) so that said paragraph as amended shall read as follows: I. Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, Korean Conflict, or Viet Nam Conflict, as hereinafter defined who have been discharged or separated therefrom under conditions other than dishonorable or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her residential real estate, to the value of one thousand dollars, as hereinafter provided.

**35:2 Viet Nam Conflict Defined.** Amend paragraph III of RSA 72:28 (supp) as amended by 1955, 289:1 and 1963, 49:1, 118:1, and 324:1 by inserting at the end thereof the following ( (7) "Viet Nam Conflict" between Aug. 5, 1964 and the end of hostilities as declared by Congress) so that said paragraph as amended shall read as follows:

III. The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902, extended to July 15, 1903 for service in the Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 2, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918, extended to April 1, 1920 for service in Russia, provided that military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service.

(5) "World War II" between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 25, 1950 and July 27, 1953.



(7) "Viet Nam Conflict" between Aug. 5, 1964 and the end of hostilities as declared by Congress.

**35:3 Effective Date.** This act shall take effect April 1, 1967.

[Approved March 23, 1967.]

[Effective date April 1, 1967.]

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## CHAPTER 36.

AN ACT TO INCREASE THE SALARY OF ROCKINGHAM COUNTY TREASURER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**36:1 Rockingham County Treasurer.** Amend RSA 29:14 (supp) as amended by 1955, 172:2, 247:3, 1957, 149:1, 1963, 8:1 and 1965, 262:2 by striking out the words "In Rockingham, twelve hundred dollars" in line four and inserting in place thereof the words (In Rockingham, fifteen hundred dollars) so that said section as amended shall read as follows:  
**29:14 Salaries.** The annual salaries of the treasurers of the several counties to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, five hundred dollars.

In Belknap, five hundred dollars.

In Carroll, seven hundred fifty dollars.

In Merrimack, six hundred dollars.

In Hillsborough, twelve hundred dollars.

In Cheshire, four hundred dollars.

In Sullivan, five hundred dollars.

In Grafton, five hundred dollars.

In Coos, five hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

**36:2 Effective Date.** This act shall take effect January 1, 1968.

[Approved March 23, 1967.]

[Effective date January 1, 1968.]

**CHAPTER 37.**

AN ACT TO INCREASE CERTAIN FEES UNDER COMMERCIAL CODE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**37:1 Uniform Commercial Code.** Amend paragraph (5) of RSA 382-A:9-403, as inserted by 1959, 247:1 and amended by paragraph XII of 1961, 112:1 by striking out said paragraph and inserting in place thereof the following: (5) The fee for filing, indexing and furnishing filing data for an original or a continuation statement, or any amendment thereof, on a form conforming to standards prescribed by the secretary of state shall be two dollars, or, if the statement does not conform to such form but otherwise conforms to the requirements of section 9-402, three dollars.

**37:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 23, 1967.]

[Effective date May 22, 1967.]

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**CHAPTER 38.**

AN ACT TO PERMIT MUNICIPALITIES TO ACCEPT GRANTS OF FEDERAL OR STATE AID OR BOTH FOR CAPITAL PROJECTS AND TO BORROW MONEY IN ANTICIPATION OF THE RECEIPT OF SUCH GRANTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**38:1 Debt Limit.** Amend the definition of net indebtedness in RSA 33:1 (supp) as amended by 1955, 329:3; 1957, 142:3 and 1961, 120:1 by inserting after the words "notes issued according to law" in line three the words (or notes issued in anticipation of grants of federal or state aid or both) so that said definition as amended shall read as follows: "Net Indebtedness," all outstanding and authorized indebtedness, heretofore or hereafter incurred by a municipality, exclusive of unmatured tax anticipation notes issued according to law, or notes issued in anticipation of grants of federal or state aid or both, debts incurred for supplying the inhabitants with water or for the construction, enlargement, improvement or maintenance of water works, debts incurred to finance the cost of sewerage systems or enlargements or improvements thereof, or sewage or waste disposal works when the cost thereof is to be financed by sewer rents or sewer assessment, debt incurred pursuant to RSA 31:10, debts incurred outside the statutory debt limit of the municipality under any general law or special act heretofore or hereafter enacted (unless otherwise provided

in such legislation), and sinking funds and cash applicable solely to the payment of the principal of debts incurred within the debt limit.

**38:2 Borrowing.** Amend RSA 33 by inserting after section 7-a (supp) as inserted by 1957, 89:1, and as amended by 1963, 151:2 and 1965, 322:1, the following new section: **33:7-b Anticipation of Federal or State Aid.** A municipality may contract for or accept grants of federal or state aid or both in connection with any project for which the municipality may incur indebtedness under section 3 of this chapter; and, after their receipt, such grants shall be expended according to the terms under which they are received or used to pay indebtedness incurred under this section. Any municipality which has contracted for or accepted an offer of a grant of federal or state aid or both may incur indebtedness in anticipation of the receipt of such aid by issuing its note or notes payable not more than two years from their dates, except that notes issued for a shorter period than two years may be funded and refunded from time to time by the issue of other notes which shall be payable no later than two years after the date of issue of the original note or notes creating the indebtedness being funded or refunded. In the case of a city the authority to contract for or accept grants of federal or state aid or both shall be given by a resolution passed in the manner provided in section 9 of this chapter, and in the case of a town, school district or village district the authority shall be given by a vote of two-thirds of all the voters present and voting at an annual or special meeting of such corporation; and the giving of such authority shall be sufficient to authorize the appropriate officers as specified in sections 8 and 9 of this chapter to issue notes as provided in this section without further proceedings by the municipality. Nothing contained in this section shall be construed to authorize the appropriation of any money in a manner which is inconsistent with laws relating to appropriations of money by municipalities.

**38:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 23, 1967.]

[Effective date May 22, 1967.]

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## CHAPTER 39.

AN ACT TO REMOVE THE CONTROL OF THE PUBLIC UTILITIES COMMISSION  
OVER THE ACCOUNTS AND RECORDS OF MUNICIPAL LIGHTING  
AND WATER SYSTEMS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**39:1 Repeal.** RSA 38:1, which subjects accounts and records of municipal lighting and water systems to the control of the public utilities commission, is hereby repealed.

**39:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 23, 1967.]

[Effective date May 22, 1967.]

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## CHAPTER 40.

AN ACT RELATIVE TO TRANSFERS FROM THE DISTRICT COURTS TO THE  
SUPREME COURT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**40:1 District Courts.** Amend RSA 502-A (supp) as inserted by 1963, 331:1 by inserting after section 17 the following new section: **502-A:17-a Transfers to Supreme Court.** In any criminal case or civil cause in any district court questions of law may be transferred to the supreme court in the same manner as from the superior court under RSA 491:17.

**40:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 23, 1967.]

[Effective date May 22, 1967.]

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## CHAPTER 41.

AN ACT RELATIVE TO NAMING OF A BRIDGE THE PISCATAQUA RIVER BRIDGE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**41:1 Piscataqua River Bridge.** The high-level bridge over the Piscataqua river between the city of Portsmouth and the town of Kittery, Maine, the laying out of which, acquiring land for and engineering of were authorized by chapter 61 of the Laws of 1965, shall be known as the Piscataqua River Bridge.

**41:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 9, 1967.]

[Effective date May 8, 1967.]

**CHAPTER 42.****AN ACT RELATIVE TO THE SALE OF SWEEPSTAKES TICKETS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**42:1 Authority Enlarged.** Amend paragraph II of RSA 284:21-h as inserted by 1963, 52:1 and amended by 1963, 200:3 and 1965, 200:1 by inserting after subparagraph (b) the following new subparagraphs:

(c) May be sold by the sweepstakes commission in the following locations:

(1) at, within, or upon the following premises owned or controlled by the state: Franconia Notch State Park, Hampton Beach State Park, Mount Sunapee State Park, and Crawford Notch State Park. The state agency responsible for the operation of these locations shall have regulatory powers over the sales and advertising of sweepstakes tickets at the above locations.

(2) at, within, or upon the following premises owned or controlled by a political subdivision of the state: Weirs Beach, provided however that the voters of the city of Laconia have signified their approval of the sale of sweepstakes tickets in said city pursuant to the provisions of RSA 284:21-k at the biennial election of November, 1966 and so signify biennially thereafter. The sweepstakes commission shall obtain prior permission from the administrative authorities for this location before selling tickets at, within, or upon these premises.

(d) May be sold by or for the sweepstakes commission in the following locations. Such major type hotels, motels, banks, commercial areas, and local fairs as are approved by the commission, provided however that all sales in commercial areas shall be only by employees of the sweepstakes commission or from mobile units operated by the commission. Sales at all of the above locations shall be subject to rules and regulations established by the commission, and provided however that the voters of the cities or towns in which the respective sales outlets are located have signified their approval of the sale of sweepstakes tickets in said cities or towns pursuant to the provisions of RSA 284:21-k at the biennial election of November, 1966 and so signify biennially thereafter. Tickets may be sold only in such of these locations as desire to cooperate. The commission and management shall make mutually agreeable arrangements to accomplish the sale of tickets at a uniform rate of compensation.

(e) Persons who have been convicted of a felony shall not be allowed to sell sweepstakes tickets.

**42:2 Effective Date.** This act shall take effect upon passage.

[Approved April 4, 1967.]

[Effective date April 4, 1967.]

**CHAPTER 43.**

AN ACT RELATING TO INVESTMENTS OF SAVINGS BANKS IN BUILDINGS AT  
HAMPTON BEACH AND IMPROVEMENTS ON LAND SUBJECT TO  
U. S. FOREST SERVICE PERMITS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**43:1 Savings Banks, Investments.** Amend paragraph II of RSA 387:4 (supp) as amended by 1957, 39:1 by striking out the word "twenty-five" in line 12 thereof and inserting in place therefor the word (twenty) so that said paragraph as amended shall read as follows:

**II. Buildings at Hampton and Improvements on Land Subject to a United States Forest Service Permit.** The following shall be construed to be real estate for the purposes of paragraph I. (1) Buildings on land at Hampton in the county of Rockingham owned by lessees of real estate owned by the town of Hampton and leased by said town to Hampton Beach Improvement Company or directly to other lessees, together with those owned by sublessees or lessees of Hampton Beach Improvement Company or the town of Hampton, and (2) improvements, buildings and structures on land within national forests within this state upon which the mortgagor holds a term special use permit from the United States Forest Service of not less than twenty years' duration.

**43:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 5, 1967.]

[Effective date June 4, 1967.]

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**CHAPTER 44.**

AN ACT RELATIVE TO NON-RESIDENT STUDENTS OF THE UNIVERSITY OF  
NEW HAMPSHIRE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**44:1 Non-resident Students.** Amend RSA 187:29 by striking out the word "fifteen" in line three and inserting in its place the word (twenty-five) so that the section as amended shall read as follows: **187:29 Percentages.** The number of students enrolled in the University of New Hampshire from residences outside the state in any year shall not exceed twenty-five percent of the maximum capacity for regular undergraduate students at the university as determined by the board of trustees.

**44:2 Effective Date.** This act shall take effect September 1, 1967.

[Approved April 5, 1967.]

[Effective date September 1, 1967.]

**CHAPTER 45.**

AN ACT TO AUTHORIZE ABSENTEE BALLOTS TO BE DEPOSITED IN BALLOT BOXES WHILE THE POLLS ARE OPEN.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**45:1 Absentee Voting.** Amend paragraph I of RSA 60:8 (supp) as amended by 1965, 249:1 by striking out the first sentence of the paragraph and inserting in its place the following two new sentences: (Absentee ballots may be deposited in the ballot boxes either during the time the polls are open or immediately after the polls are closed, or both, but they must be deposited before the ballots cast have been removed from the ballot box. In either case, the moderator shall open the envelopes which were delivered to the moderator under the preceding section) so that the said paragraph as amended shall read as follows:

**60:8 Procedure by Moderator.**

I. Absentee ballots may be deposited in the ballot boxes either during the time the polls are open or immediately after the polls are closed, or both, but they must be deposited before the ballots cast have been removed from the ballot box. In either case, the moderator shall open the envelopes which were delivered to the moderator under the preceding section. The moderator shall remove the inner envelopes containing the ballots of absentee voters and shall compare the signatures on the inner envelopes with the signatures on the application for the ballot. If (1) the name of the voter is on the check list, and (2) the affidavits on the envelope appear to be properly executed, and (3) the signatures on the affidavits appear to be executed by the same person who signed the application, and (4) the signatures appear to be the signatures of a duly qualified voter who has not voted at the election, the moderator shall publicly announce the name of the absentee voter. After announcing the name of the voter, the moderator shall open the envelope containing the ballot so that the affidavit on the envelope is not destroyed. The moderator shall then take the ballot out of the envelope without unfolding the ballot or without permitting the ballot to be opened or examined. The moderator shall then have a check mark placed against the name of the absentee voter on the voting list by writing on the voting list the letters "A. V." in red ink, and shall then deposit the ballot in the ballot box.

**45:2 When Clerk to Deliver Absentee Ballots.** Amend RSA 60:7 (supp) as amended by 1965, 225:2 by striking out in line six the words "before the hour for closing" and inserting in place thereof the words (within one hour of the opening) and by inserting after the word "therefore" in line nine the words (and thereafter the said clerk shall deliver to the moderators before the hour for the closing of the polls whatever envelopes (with applications) purporting to contain official absentee vot-

ing ballots said clerk receives during the day.) so that said section as amended shall read as follows: **60:7 Procedure, by Clerk.** Upon receipt of the envelope (mailed or delivered to the town clerk,) purporting to contain an official absentee voting ballot, the clerk of the city or town shall attach thereto the application for an official absentee voting ballot executed by the voter whose name appears thereon. All such envelopes shall be preserved unopened. Upon election day within one hour of the opening of the polls the said clerk shall deliver all envelopes (with applications) received by him to the moderators in the several voting precincts in which the voters named therein assert the right to vote, taking a receipt from the moderator therefore and thereafter the said clerk shall deliver to the moderators before the hour for the closing of the polls whatever envelopes (with applications) purporting to contain official absentee voting ballots said clerk receives during the day. No absent voter's ballot shall be cast or counted unless it be delivered to the moderator at the proper polling place prior to the closing of the polls on the day of the election.

**45:3 Absentee Voter Precluded from Voting in Person.** RSA 60:12 relating to an absentee voter having the right to vote in person is hereby repealed.

**45:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 5, 1967.]

[Effective date June 4, 1967.]

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## CHAPTER 46.

### AN ACT RELATIVE TO OPEN SEASON FOR TAKING BLACK BEAR.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**46:1 Change in Open Season.** Amend RSA 208:22 (supp) as inserted by 1961, 126:1 and amended by 1963, 311:1 and 1965, 143:2 by striking out the word and figure "December 10" and inserting in place thereof the words (the last day of the current deer season) so that said section as amended shall read as follows: **208:22 Wild Black Bear.** Wild black bear, outside of game preserves, may be taken and possessed from one-half hour before sunrise to one-half hour after sunset in all counties of the state from September 1 to the last day of the current deer season inclusive, provided that no bear shall be taken at any time on any island or in any waters or lakes or ponds. Wild black bear may be taken by the aid and use of dogs from September 1 to November 14 inclusive with written permission of the director or his agents. Wild black bear may be taken by the aid and use of dogs, firearms and by bow and arrow of at least



forty pound pull provided that no person shall take bear by the aid or use of a jack or artificial light, trap, snare, swivel, pivot or set gun or calibre .22 rimfire firearm unless otherwise herein provided. Any person who kills a wild bear as provided by this section shall report as outlined in section 23 of this chapter. Landowners, or their agents, shall be permitted to set traps for bear doing actual or substantial damage to property. Such trapping shall only be permitted after the director or his agent has been notified of damage and has investigated such complaint. The director or his agents may then issue a special permit for the use of traps. Said permit shall state the location of traps and the dates when trapping shall be allowed. Any traps set as hereinbefore described shall be arranged and set in accordance with RSA 210:15. The carcass of a bear legally taken and reported may be bought and sold. Live bear may not be offered for sale at any time unless by a person permitted so to do by the director. Any person who violates any provision of this section shall be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

**46:2 Effective Date.** This act shall take effect September 1, 1967.

[Approved April 5, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 47.

AN ACT TO CLOSE CERTAIN RETAIL STORES UP TO ONE O'CLOCK IN THE  
AFTERNOON ON MEMORIAL DAY AND VETERANS DAY.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**47:1 Holidays.** Amend RSA 578 by inserting after section 5 the following new section: **578:5-a Retail Businesses, Closed on Memorial Day and Veterans Day.** Any retail business that is required to be closed on Sunday under the provisions of this subdivision may not be opened for business on May thirtieth and November eleventh until one o'clock in the afternoon.

**47:2 Effective Date.** This act takes effect sixty days after its passage.

[Approved April 5, 1967.]

[Effective date June 4, 1967.]

**CHAPTER 48.****AN ACT INCREASING FEES FOR LOBSTER LICENSES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**48:1 Shellfish.** Amend RSA 211:38, as amended by 1961, 146:1 by striking out said section and inserting in place thereof the following: **211:38 Lobster Meat.** No person shall sell lobster meat which has not been processed and sealed within containers which do not require refrigeration without first procuring a license so to do. The director shall issue such license for a period of one calendar year which license shall expire on December 31 of each year. A separate license shall be required for each market, store, vehicle, motel, hotel, restaurant, stand, inn, caterer or other facility where lobster meat is sold. The following fees shall apply for licenses issued under this section: To a resident, for lobster meat license, five dollars, and for each lobster meat license for additional facility, three dollars; to a nonresident for a lobster meat license, twenty dollars, and for each lobster meat license for additional facility ten dollars.

**48:2 License.** Amend paragraph II of RSA 211:39 by striking out said paragraph and inserting in place thereof the following: **II. Fees.** The following shall be collected for licenses issued under the provisions of paragraph I: To a resident, for a retail dealer's license, five dollars and for each license for additional facilities, three dollars; to a nonresident, for a retail dealer's license, thirty-five dollars, and for each additional facility, ten dollars.

**48:3 Wholesale Dealers.** Amend paragraph IV of RSA 211:39 by striking out said paragraph and inserting in place thereof the following: **IV. Fees.** The following fees shall be collected for licenses issued under the provisions of paragraph III: To a resident, for a wholesale dealer's license, thirty-five dollars, and for each license for an additional facility, ten dollars; to a nonresident, for a wholesale dealer's license, one hundred dollars, and for each license for an additional facility, twenty dollars.

**48:4 Lobster Meat Containers.** Amend RSA 211:27 (supp) as amended by 1965, 305:4 by striking out said section and inserting in place thereof the following: **211:27 Legal Length.** All lobster meat sold as such shall be delivered in containers marked as prescribed by the rules and regulations promulgated by the director. No person may transport, buy, sell, give away, or expose for sale, or possess for any purpose, any lobster less than three and one-eighth inches in length alive or dead, cooked or uncooked, measuring from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell. Whoever ships, transports, carries, buys, gives away, sells or exposes for sale, or possesses for any purpose, lobster meat after the meat has been taken from the shell, without the tail meat being whole and

intact, and of a length of less than four and one-quarter inches when laid out straight and measured from end to end, not including the small part that is on the body end of the tail meat, shall be liable to the penalty imposed for violation of this section.

**48:5 Effective Date.** This act shall take effect January 1, 1968.

[Approved April 5, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 49.

AN ACT RELATIVE TO THE DURATION OF PERMIT TO IMPORT BAIT FISH.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**49:1 Importation of Bait Fish.** Amend RSA 214:34-d (supp), as inserted by 1965, 347:1 by striking out the figure and word "30 days" in the third line and inserting in place thereof the words (one year); further amend said section by inserting in line five after the word "supply" the words (Five days') so that said section as amended shall read as follows: **214:34-d Permit to Import.** No fish of any description shall be brought into this state for use as bait without first procuring a permit from the director. Such permit shall be valid for no longer than one year but no additional permit shall be required within that period of time to import the same species of fish from the same source of supply. Five days' notification of each intent to import shall be filed with the director. The fee for such permit is five dollars.

**49:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 5, 1967.]

[Effective date June 4, 1967.]

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## CHAPTER 50.

AN ACT RELATIVE TO ISSUANCE OF NONRESIDENT HONORARY FISHING AND HUNTING LICENSES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**50:1 Fishing and Hunting.** Amend RSA 214:13-a, as inserted by 1955, 41:1, by striking out said section and inserting in place thereof the following: **214:13-a Nonresident Honorary Licenses.** The director may issue honorary hunting or fishing licenses to the President and Vice President of the United States and to nonresident governors, fish and game

officials, accredited sports writers and photographers, recognized conservationists, and foreign ambassadors and dignitaries without charge. During a calendar year there shall be no limit as to the number of each type of honorary license so issued. The director shall determine the form of such honorary licenses. The fish and game commission shall periodically review the total issue of honorary licenses hereunder, and may regulate the number thereof. The director shall on or before January 15, 1969 and biennially thereafter on or before each January 15th in each year the general court assembles submit a complete list, to the chairman of both the house and senate fish and game committee, containing the names, addresses, and positions or titles of all persons to whom such an honorary license has been issued and each such license issued shall be consecutively numbered.

**50:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 5, 1967.]

[Effective date June 4, 1967.]

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## CHAPTER 51.

### AN ACT RELATIVE TO INVESTMENTS BY DOMESTIC LIFE INSURANCE COMPANIES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**51:1 Prudent Investments.** Amend RSA 411:15 by inserting after paragraph VII (supp) as inserted by 1957, 114:1 the following new paragraph: VIII. Not exceeding five per cent of the total admitted assets of such a company in securities which are not authorized investments under this section or section 16, 16-a or 19 of this chapter, but which are prudent investments for such a company to make.

**51:2 Investments of Life Insurance Companies.** Amend RSA 411:19 (supp) as amended by 1957, 114:3 by striking out clause (a) and inserting in place thereof the following: ( (a) to an amount which, when added to investments made pursuant to paragraph VIII of section 15 of this chapter, does not exceed ten per cent of their total admitted assets in loans or investments not qualifying or not permitted under sections 15 or 16 above, and) so that the said section as amended shall read as follows:  
**411:19 Other Investments.** Subject to the approval of the insurance commissioner, such companies may invest their funds

(a) to an amount which, when added to investments made pursuant to paragraph VIII of section 15 of this chapter, does not exceed ten per cent of their total admitted assets in loans or investments not qualifying or not permitted under section 15 or 16 above, and

(b) in the stock of another insurance company, notwithstanding the provisions of RSA 402:29.

**51:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 5, 1967.]

[Effective date June 4, 1967.]

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## CHAPTER 52.

AN ACT PERMITTING CERTAIN EMPLOYEES AT STATE INSTITUTIONS TO HAVE UNIFORMS LAUNDERED AND RECEIVE LIMITED MEDICAL TREATMENT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**52:1 Laundry and Medical Treatment Permitted.** Amend RSA 99:2-a (supp) as inserted by 1965, 239:10 by adding at the end thereof the following: (Provided further that all employees of New Hampshire Hospital, Laconia State School, and Glencliff Sanatorium, who are required by the administration of their respective institution to wear uniforms or other required attire, shall be allowed to have said uniforms or required attire laundered at no cost to them by their respective institution and all employees of said institutions shall receive from regularly employed institutional physicians out-patient diagnostic screening and limited ambulatory treatment at no cost to them except for the filling of prescription drugs that might be indicated) so that said section, as amended, shall read as follows:

**99:2-a Maintenance for Classified Employees.** No classified employee shall receive any maintenance or payment in lieu thereof from the state, provided however that if quarters are available at any state institution or on any state property the department head thereof may assign to a classified employee such quarters, furnished or unfurnished, including only any or all of the following utilities: heat, fuel, gas, electricity and water, and provided further that a department head of a state agency which serves prepared meals may permit any classified employee to purchase such meals. Such employee shall reimburse the state for such quarters or meals at a rate to be determined by the personnel commission. Provided further that all employees of New Hampshire Hospital, Laconia State School, and Glencliff Sanatorium, who are required by the administration of their respective institution to wear uniforms or other required attire, shall be allowed to have said uniforms or required attire laundered at no cost to them by their respective institution and all employees of said institutions shall receive from regularly employed institutional physicians out-patient diagnostic screening and limited ambulatory treatment

at no cost to them except for the filling of prescription drugs that might be indicated.

**52:2 Effective Date.** This act shall take effect upon its passage.

[Approved April 12, 1967.]

[Effective date April 12, 1967.]

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## CHAPTER 53.

AN ACT RELATIVE TO PARI-MUTUEL POOLS AT RUNNING HORSE RACE MEETS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**53:1 Horse Racing.** Amend paragraph I of RSA 284:22, as amended by 1955, 74:1, 1957, 122:1 and 1961, 34:1 by striking out the word "fourteen" in line three and inserting in place thereof the word (fifteen) and by striking out the word "seven" in line nine and inserting in place thereof the word (seven and one-half) so that said paragraph as amended shall read as follows: I. Commissions on such pools at tracks or race meets conducting a running horse race or running horse meet shall be uniform throughout the state at the rate of fifteen per cent of each dollar wagered plus the odd cents of all redistribution to be based upon each dollar wagered, exceeding a sum equal to the next lowest multiple of ten, known as "breakage," one-half of which breakage shall be retained by the licensee and the balance shall be paid to the state treasurer for the use of the state in accordance with the provisions of section 2. Said maximum shall include the seven and one-half per cent tax hereinafter prescribed.

**53:2 Tax.** Amend paragraph I of RSA 284:23, as amended by 1955, 74:2, 1957, 122:2, and 1959, 181:4 by striking out the word "seven" in line three and inserting in place thereof the words (seven and one-half) and by striking out the words "six and three-fourths" in line six and inserting in place thereof the words (seven and one-fourth) so that said paragraph as amended shall read as follows: I. Each person, association or corporation licensed to conduct a running horse race or running horse meet under this chapter shall pay to the state treasurer a sum equal to seven and one-half per cent of the total contributions to all pari-mutuel pools conducted or made at any running horse race or running horse meet licensed hereunder. Of the amount so paid to the state treasurer a sum equal to seven and one-fourth per cent of said total contributions shall be distributed in accordance with the provisions of section 2 of this chapter and a sum equal to one-fourth of one per cent of said total contributions shall be expended for the promotion of agriculture in the state under the direction of the commissioner of agriculture.

**53:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 12, 1967.]

[Effective date June 11, 1967.]

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## CHAPTER 54.

### AN ACT TO AUTHORIZE THE HIRING OF A REGISTERED NURSE AT THE NEW HAMPSHIRE SOLDIERS' HOME.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**54:1 Soldiers' Home.** The board of managers at the New Hampshire Soldiers' Home is authorized to hire a registered nurse, grade 10, at the home for the year ending June 30, 1967.

**54:2 Appropriation.** In addition to any other funds appropriated for the New Hampshire Soldiers' Home, the sum of eleven hundred dollars is hereby appropriated for the fiscal year ending June 30, 1967 to be spent for salary of the nurse authorized in section 1. The governor is authorized to draw his warrant for this sum out of any money in the treasury not otherwise appropriated.

**54:3 Effective Date.** This act shall take effect upon its passage.

[Approved April 13, 1967.]

[Effective date April 13, 1967.]

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## CHAPTER 55.

### AN ACT RELATIVE TO MARINE FISHERIES AND SHELLFISH.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**55:1 Advisory Committee.** Amend RSA 211:61 (supp) as inserted by 1957, 251:1 and amended by 1965, 303:1, by striking out the words "and provide penalties for violation thereof" in line five so that said section as amended shall read as follows: **211:61 Clams, Lobsters.** The advisory committee on shore fisheries as appointed under RSA 211:60 may recommend to the fish and game commission such rules and regulations as may be necessary for the propagation, preservation and taking of clams, clam worms, lobsters, crabs, and oysters. All laws and regulations relative to the taking, sale, possession, and transportation of lobsters, crabs, clams, clam worms, and oysters shall remain in full force and effect until such time as they are changed under the authority contained in this section.

**55:2 Regulations.** Amend RSA 211:63 as inserted by 1957, 251:1 and amended by 1959, 194:3 by inserting after the word "hearing" in line three the words (in the area affected) so that said section as amended shall read as follows: **211:63 Hearings as to.** Such regulations shall become effective on an effective date specified by the director not less than thirty days following a public hearing in the area affected before the fish and game commission.

**55:3 Shellfish Areas.** Amend RSA 211 by inserting after section 63 the following new section: **211:63-a Emergency Closing.** Any regulations promulgated under the authority of sections 62 and 63 may be suspended and the taking of clams, clam worms and oysters may be prohibited in any area when the division of public health of the department of health and welfare shall determine that accidental pollution exists in said area. Said emergency closing shall be ordered by the director without a hearing. The director after a hearing shall have authority to order a partial closing of clam, clam worm, and oyster areas for the purpose of management of said areas by rotation. When such management closing is ordered the order shall be effective immediately without a waiting period.

**55:4 Atlantic States Marine Fisheries Commission.** Amend RSA 213:3 by striking out the section and inserting in place thereof the following: **213:3 Commission.** In pursuance of Article III of said compact there shall be three members, hereinafter called commissioners, of the Atlantic States Marine Fisheries Commission, hereinafter called commission, from the state of New Hampshire. The first commissioner from the state of New Hampshire shall be fish and game director, ex officio, and the term of any such ex-officio commissioner shall terminate at the time he ceases to hold said office of fish and game director and his successor as commissioner shall be his successor as such director. The second commissioner from the state of New Hampshire shall be a member of the general court designated by the commission on interstate cooperation of the state of New Hampshire, and the term of the second commissioner ends when the general court is dissolved by the constitution or when he otherwise ceases to hold office. His successor as second commissioner shall be named in like manner. The governor, with the advice and consent of the council, shall appoint a citizen as a third commissioner who shall have a knowledge of and interest in the marine fisheries problem. The term of said commissioner shall be three years and he shall hold office until his successor shall be appointed and qualified. A vacancy occurring in the office of the third commissioner for any reason or cause shall be filled by appointment by the governor with the advice and consent of the council for the unexpired term. The director of fish and game may delegate, from time to time to any assistant in his office the power to be present and participate, including voting, as his representative at any meeting of or hearing by or other proceeding of the commission. The terms of each of the initial three members shall begin at the date of the



appointment of the appointive commissioner, provided the said compact shall then have gone into effect in accordance with Article II of the compact; otherwise they shall begin upon the date upon which said compact shall become effective in accordance with said Article II. Any commissioner may be removed from office by the governor upon charges and after a hearing.

**55:5 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 13, 1967.]

[Effective date June 12, 1967.]

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## CHAPTER 56.

### AN ACT PROVIDING FOR THE ASSESSMENT AND COLLECTION OF A SPECIAL HEAD TAX FOR STATE PURPOSES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**56:1 Special Head Tax.** There is hereby levied and assessed in 1967 and 1968 for the use of the state a special head tax of five dollars upon each and every resident of the state, as defined herein, over twenty-one and under seventy years of age.

**56:2 Resident Defined.** The word "resident" as used herein means a person, whether a citizen or an alien, except paupers and insane persons, who has resided in this state for at least six months next preceding the date of each assessment of the head tax hereunder.

**56:3 Time of Payment.** The head tax shall be assessed upon May 1, 1967, and April 1, 1968, and payable upon demand on or after each of said dates.

**56:4 Collection.** The selectmen of towns and assessors of cities shall on or before June 1, 1967 and June 1, 1968, make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the list together with a warrant under their hands and seals to the collector of taxes for such town or city directing the collector to collect the head taxes on or before December first next following and to keep the head taxes in a special account, and monthly, or oftener to pay the head taxes over to the town or city treasurer as the taxes are collected. Upon receipt of the original head tax warrant in each year the collector shall forthwith certify to the state treasurer, upon a form prescribed and provided by the state treasurer, the total amount of the taxes received. Upon application by the assessors the tax commission for good cause may extend the time for delivery of the head tax warrant.

**56:5 Penalty.** There shall be added to any special head tax not paid in full on or before December first following the assessment of the head tax the sum of fifty cents which shall be collected with the tax as incident to the head tax.

**56:6 Remedies for Collection.** The special head taxes may be collected by all of the means and methods provided in RSA 80 and the provisions of RSA 214:10 and RSA 260:4-6 as amended by 1955, 39:1, 2, 50:17, 125:1 and 1957, 13:1, 2 shall apply to the special head tax assessed under this act.

**56:7 Husband Liable.** A husband shall be liable for the payment of the special head tax assessed against his wife, if, when it was assessed, they were living together.

**56:8 Liability of Cities and Towns.** Each town and city shall be liable to the state for all special head taxes lawfully assessed in such town or city.

**56:9 Payment to State.** On or before the fifteenth day of the months of September, December, March, and June, each town and city shall cause its tax collector to certify such information as the state treasurer shall require, and shall cause its treasurer to pay over to the state treasurer all special head taxes and penalties collected during the preceding three months after first deducting ten per cent of the head taxes collected. Such deduction shall be for the use of the town or city to offset all expenses incurred in the assessment and collection of the special head taxes. However, in towns where the collector of taxes is paid on a part time or commission basis not less than thirty per cent of the sum so deducted shall be paid to the collector for his services in collecting the head taxes. If any town or city shall fail to make its payment when due, the deduction of the ten per cent to be retained by it shall be reduced by one quarter of one per cent for each week or part thereof the payment is overdue.

**56:10 Final Payment.** Each town and city shall cause its treasurer on the fifteenth day of June in the year following the assessment to pay to the state treasurer an amount equal to all uncollected head taxes for which the city or town is then liable, less the ten per cent deduction. However, the total deduction retained from all payments to the state treasurer shall not exceed ten per cent of the total amount of the original warrant, less the amount of all lawful abatements certified to the state treasurer. If the payment is not made as provided in this section the state treasurer shall withhold the amount of any head taxes and penalties due to the state for which the town or city may be liable, from any amounts payable by the state to the city or town failing to make the payments of head taxes. The state treasurer shall not pay to any city or town any amounts that may be due to it from the state until all payments of head taxes then due have been paid to him.

**56:11 Extents.** The state treasurer shall also issue his extent for the amounts of all head taxes and penalties which have been collected and not remitted by any town or city as provided in this act.

**56:12 Abatements.** Selectmen and assessors may abate any special head tax assessed against persons not subject to the tax provided in sections 1 and 2 of this chapter, and upon written application, may abate the head tax when it appears that the payment of the tax would impose an undue hardship upon the applicant. The selectmen and assessors may abate the head tax after all methods of collection provided by law have proved ineffective. They shall make a written record of all abatements made by them and certify the names, addresses and precise reasons for all abatements made because of undue hardship and inability to collect the same to the tax commission for review. If, upon review, the tax commission decides that the abatement should not have been made it shall disallow the abatement and upon notice thereof the town shall pay to the state the amount of all abatements so disallowed.

**56:13 Supplementary Bond of Collector.** Whenever the tax commission considers it necessary, a collector of taxes or town manager may be required to furnish a further and additional bond beyond that required by other provisions of law, with sureties, in such form and amount as the commission may approve. The premiums shall be paid by the state.

**56:14 Supplies, Bills and Postage.** The tax commission shall provide each city and town, without charge, printed tax bills, envelopes, postage, or postal cards, and other supplies, to be used in assessing and collecting the special head taxes and in keeping the necessary records relating thereto. It may reimburse any city or town in which it seems more practicable and advisable for the city or town to obtain its own supplies, materials and postage, for the cost thereof, if the purchase of such supplies, materials and postage by city or town has been previously approved by the tax commission. The expenses incurred or reimbursements authorized by the tax commission under this section and for supplemental bonds required under section 13 of this act shall be a charge against the funds collected by the state under these provisions.

**56:15 Exemptions.** All persons on active duty in the armed forces of the United States of America on the date of assessment shall be exempt from payment of the special head tax. Veterans totally and permanently disabled from service connection who are drawing federal compensation or pension and whose income, exclusive of said compensation or pension, is less than one thousand dollars a year, upon written request filed on or before May 15, 1967 and April 15, 1968, shall be exempt from the special head tax.

**56:16 Disposition of Taxes.** All funds received by the state treasurer under the provisions hereof, less costs of collection as provided in sections 9 and 14, shall be deposited in the general funds of the state.

**56:17 Refund of Tax Paid.** If it appears that a person has paid a head tax for which he was not liable and the tax has been paid to the state treasurer by the town or city where it was collected, the state treasurer, after investigation by the tax commission, upon order of the tax commission, shall pay to the person who paid the tax the amount of the tax paid, provided application therefor is made to the tax commission on or before June thirtieth in the year next following the date of assessment.

**56:18 Application of Statutes.** No person obtaining an abatement under section 12 of this act shall for that action be precluded from voting under section 1 of chapter 54 RSA.

**56:19 Effective Date.** This act shall take effect May 1, 1967.

[Approved April 13, 1967.]

[Effective date May 1, 1967.]

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## CHAPTER 57.

### AN ACT RELATIVE TO THE TAXATION OF HOUSE TRAILERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**57:1 Taxation.** Amend RSA 72:7-a (supp) as inserted by 1961, 41:1 and amended by 1963, 149:1 by striking out said section and inserting in place thereof the following: **72:7-a House Trailers.** A house trailer, travel trailer, or mobile home suitable for use for domestic, commercial or industrial purposes is taxable in the town in which it is located on April first in any year if it was brought into the state on or before April first and remains here after June fifteenth in any year; except that a travel trailer as determined by the state tax commission, registered in this state for touring or pleasure and not remaining in any one town, city or unincorporated place for more than forty-five days, except for storage only, shall be exempt from taxation. Nothing contained in this section shall be construed as changing the method of taxing house trailers and mobile homes held by a manufacturer or dealer as stock in trade.

**57:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 13, 1967.]

[Effective date June 12, 1967.]

**CHAPTER 58.****AN ACT EXEMPTING A MOTION PICTURE PROJECTIONIST FROM LIABILITY  
UNDER THE OBSCENITY STATUTE.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**58:1 Exemption from Liability.** Amend RSA 571-A (supp) as inserted by 1965, 146:1 by inserting after section 2 a new section as follows:

**571-A:2-a Exemption.** A motion picture projectionist or motion picture machine operator who is regularly employed by anybody to operate a projecting machine in a public motion picture theatre shall not be guilty of a violation under this chapter because of the picture which is being projected if he is required to project it as part of his employment.

**58:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 13, 1967.]

[Effective date June 12, 1967.]

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**CHAPTER 59.****AN ACT TO DISCONTINUE SESSIONS OF SUPERIOR COURT AT  
COLEBROOK AND DERRY.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**59:1 Colebrook.** Amend RSA 496:1 (supp) as amended by 1965, 41:1, by striking out the words "Adjournment from Lancaster or Berlin may be made to Colebrook whenever the presiding justice deems it advisable" in lines thirteen, fourteen and fifteen, so the section as amended shall read as follows: **496:1 Time; Place.** Terms of the superior court shall be holden annually, at the following places in the following counties:

For the county of Rockingham: At Exeter.

For the county of Strafford: At Dover.

For the county of Belknap: At Laconia.

For the county of Carroll: At Ossipee.

For the county of Merrimack: At Concord.

For the county of Hillsborough: At Manchester and Nashua.

For the county of Cheshire: At Keene.

For the county of Sullivan: At Newport.

For the county of Grafton: At Lebanon, Woodsville in the town of Haverhill and Plymouth.

For the county of Coos: At Lancaster and Berlin. The times for holding the terms of court at the places designated in each county shall be established by rule of the superior court, which shall provide for the holding of not less than two terms annually in each county.

**59:2 Repeal.** RSA 496:6, relating to trial of superior court cases in Derry, is hereby repealed.

**59:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 13, 1967.]

[Effective date June 12, 1967.]

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## CHAPTER 60.

AN ACT INCREASING THE SALARY OF CHESHIRE COUNTY ATTORNEY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**60:1 Cheshire County Attorney.** Amend RSA 7:35 (supp) as amended by 1955, 247:2; 1957, 34:1; 211:1; 263:1; 1959, 6:1, 1961, 107:1; 208:1; 1963, 95:1; 1963, 329:1, 1965, 192:1; 364:1, by striking out the section and inserting in its place the following: **7:35 Salaries.** The annual salaries of the county attorneys in the several counties are as follows:

In Hillsborough, county attorney, seventy-five hundred dollars.

Assistant county attorney, thirty-five hundred dollars.

In Rockingham, forty-five hundred dollars.

In Merrimack, four thousand dollars.

In Strafford, thirty-five hundred dollars.

In Cheshire, forty-five hundred dollars.

In Grafton, five thousand dollars.

In Coos, three thousand dollars.

In Sullivan, thirty-five hundred dollars.

In Belknap, four thousand dollars.

In Carroll, three thousand dollars.

**60:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved April 13, 1967.]

[Effective date July 1, 1967.]

**CHAPTER 61.**

AN ACT RELATIVE TO THE USE OF FUNDS OF CREDIT UNIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**61:1 Uses Permitted.** Amend RSA 394:17 (supp) as amended by 1955, 213:1; 1959, 88:1; 1963, 306:5; and 1965, 165:1 by striking out the same and inserting in place thereof the following: **394:17 Use of Funds.** While awaiting call of its members for loans, it may deposit its money in any cooperative bank, building and loan association, savings bank, trust company, federal savings and loan association, or national bank in this state that is insured by either the Federal Deposit Insurance Corporation or the Federal Savings and Loan Corporation, or by majority vote of the board of directors in any cooperative bank, building and loan association, savings bank, trust company, federal savings and loan association, or national bank in the United States that is insured by either the Federal Deposit Insurance Corporation or the Federal Savings and Loan Corporation or, with like vote, may make loans to other credit unions chartered under the laws of this state or federal chartered credit unions located in this state, providing that the lending credit union has assets of one hundred thousand dollars or more. It may invest any surplus funds in obligations of the United States Government to include any loans included in the Participation Sales Act. of 1966, Public Law 88-429, 89th Congress, or of the state or of any county, city or town of the state, issued pursuant to authority of law. Any credit union with assets of three million dollars or more may purchase real estate mortgages secured by real estate wherever situate which are guaranteed by the federal housing administration and may purchase real estate mortgages secured by real estate in this state and in any state which is guaranteed by the United States government through the insured loan program of the farmer's home administration. It may be an originator or participating lender in participating loans as defined in RSA 387:1, provided that its participation in such loans shall be within such limits as are prescribed in RSA 394:16.

**61:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 13, 1967.]

[Effective date June 12, 1967.]

**CHAPTER 62.****AN ACT INCREASING PER DIEM PAY FOR JURORS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**62:1 Increase in Compensation.** Amend RSA 500:26 (supp) as amended by 1959, 129:1 by striking out the word "ten" in line three and inserting in place thereof the word (fifteen) and by striking out the word "seven" in the fourth line and inserting in place thereof the word (ten) so that said section as amended shall read as follows:

**500:26 Compensation of Jurors.** Grand and petit jurors shall be paid by the county for each day or part of a day which is spent in actual attendance at court, fifteen dollars each; for travel to and from court each day, each mile ten cents; talesmen shall receive compensation and allowances for travel and expenses in the same manner and amount as grand and petit jurors.

**62:2 Effective Date.** This act shall take effect January 1, 1968.

[Approved April 19, 1967.]

[Effective date January 1, 1968.]

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**CHAPTER 63.****AN ACT RELATIVE TO PUBLICATION OF ABSTRACTS OF ANNUAL RETURNS OF BUSINESS CORPORATIONS AND RELATIVE TO DELINQUENT CORPORATIONS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**63:1 Business Corporations.** RSA 294:107 requiring the secretary of state to publish abstracts of annual returns of business corporations is hereby repealed.

**63:2 Notices.** Amend RSA 294 by inserting after section 107 the following new section: **294:107-a Notification of Neglect.** The secretary of state shall biennially notify every business corporation which shall have failed to file its annual return and to pay the filing fee for two consecutive years of such delinquency and shall notify by mail such corporation that its charter may be repealed by act of the general court if such delinquency continues.

**63:3 Repeal.** RSA 294:109, relative to notices of delinquency is hereby repealed.

**63:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 20, 1967.]

[Effective date June 19, 1967.]



**CHAPTER 64.**

## AN ACT RELATIVE TO FOREIGN CORPORATIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**64:1 Foreign Corporations.** Amend RSA 300:6 by striking out said section and inserting in place thereof the following: **300:6 Suspension.** If any such corporation fails for two consecutive years to make the annual returns required by sections 105 and 106 of chapter 294, its right to do business in this state shall be suspended.

**64:2 Duty of Secretary of State.** Amend RSA 300 by inserting after section 10 the following new sections: **300:10-a Inactive List.** The secretary of state is hereby directed to remove from the active list of foreign corporations authorized to do business in this state (1) the name of any such corporation whose right to do business herein has been suspended for failure to make annual returns, by provisions of section 6, and (2) the name of any such corporation which may have withdrawn from doing business in this state but has failed to make a return to the secretary of state of such withdrawal and to pay the filing fee as required by section 10. The secretary of state shall keep on an inactive list the names of the foreign corporations so removed from the active list which are no longer authorized to do business in this state.

**300:10-b Reregistration.** If any such foreign corporation shall again wish to register to do business in this state it shall make a new application for such registration and pay the required fees for such registration.

**300:10-c Name.** The fact that the name of a foreign corporation is on the inactive list shall not prohibit the use of such name by another foreign or domestic corporation in active business.

**64:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 20, 1967.]

[Effective date June 19, 1967.]

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**CHAPTER 65.**AN ACT PROHIBITING THE SALE, LOAN OR GIFT OF AN AIR RIFLE TO MINORS  
UNDER THE AGE OF EIGHTEEN, WITH CERTAIN EXCEPTIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**65:1 Toy Firearms.** Amend RSA 571:20 by striking out in the fourth line the words "or shall have in his possession an air rifle, with like intent," so that said section as amended shall read as follows: **571:20 Toy**

**Pistols, etc.** If any person shall have in his possession a toy pistol or other toy firearms, for the explosion of blank cartridges, with intent to sell the same, or shall sell or offer to sell or to give away the same, he shall be fined not more than fifty dollars, and shall be liable for all damages resulting from a violation of the provisions of this section, to be recovered in an action on the case.

**65:2 Air Rifles.** Amend RSA 571 by inserting after section 571:20 a new section as follows: **571:20-a Selling Air Rifles to Minors.** If any person shall sell, barter, rent, lend, or give an air rifle to a minor under the age of eighteen he shall be subject to the penalties and liabilities provided for in section 20. This section shall not apply to fathers, mothers, guardians, administrators, or executors who sell, barter, rent, lend, or give an air rifle to their children or wards or to heirs to an estate, and provided that an instructor in gun safety or marksmanship shall not be subject to the prohibitions or penalties provided for by this section if he lends an air rifle to such a minor to be used by the minor for such instruction by him.

**65:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 20, 1967.]

[Effective date June 19, 1967.]

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## CHAPTER 66.

### AN ACT RELATING TO SECRETARIAL ASSISTANCE TO STATE VETERANS COUNCIL.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**66:1 Repeal.** RSA 115:2 relating to secretarial assistance to state veterans council from the department of public welfare is hereby repealed.

**66:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved April 20, 1967.]

[Effective date July 1, 1967.]

**CHAPTER 67.****AN ACT RELATIVE TO THE AMOUNT OF FEES TO BE COLLECTED BY THE  
REGISTER OF DEEDS FOR ROCKINGHAM COUNTY.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**67:1 Rockingham County.** Amend RSA 478:17-a (supp) as inserted by 1963, 201:2, by striking out the section and inserting in its place the following: **478:17-a Fees.** The register of deeds for the county of Rockingham shall charge the following fees for documents recorded in, or services rendered by, his office:

I. For recording deeds, mortgages, leases, agreements, attachments, and like documents, three dollars for the first recorded page plus two dollars for each additional recorded page, provided that if the instrument contains the names of more than one grantor and one grantee an additional fee of fifty cents shall be charged for indexing the names of each additional grantor or grantee. An additional fee of fifty cents shall be charged for recording of deeds, mortgages and other conveyances of real estate to compensate for those items for which a transfer listing must be furnished to the towns and cities as required by section 14 of this chapter.

II. For recording discharge of real estate attachment or marginal assignment, release or discharge of real estate mortgage, two dollars.

III. For recording plans, five dollars for the first two hundred square inches thereof with one dollar for each additional one hundred square inches or part thereof.

IV. For copying any document, subject to the approval of the board of commissioners for the county of Rockingham, the price to be established and posted by the register of deeds.

V. The officer making an attachment of real estate shall, at the time of making it, pay to the register of deeds three dollars for the first recorded page, plus two dollars for each additional recorded page, which shall be in full for his services in receiving and filing the copy, certifying the time of receiving it, and entering the attachment upon the index; and the register shall be paid two dollars for recording the discharge of such attachment.

VI. When an attachment upon real estate is dissolved, or the levy thereunder is defeated, the plaintiff or his attorney, upon request, shall give to the defendant or owner of the land a discharge thereof, and the defendant or owner of the land, within thirty days after such attachment is dissolved or levy thereunder defeated, shall cause the discharge to be recorded in the office of the register of deeds, and shall pay the register two dollars for making such record.

VII. An officer making a levy against real estate not attached shall pay to the register of deeds three dollars for the first recorded page plus two dollars for each additional recorded page for his fees and shall be entitled to the same fees for travel and copy as in the case of an attachment of real estate, all of which shall be returned upon the execution.

VIII. Notwithstanding the provisions of RSA 454:5, the register of deeds and all town clerks in the county of Rockingham shall be entitled to a fee of three dollars for the first recorded page, plus two dollars for each additional recorded page for the entry and recording of such notices of tax liens and two dollars for the entry and recording of the discharge thereof.

**67:2 Application of Statute.** The provisions of RSA 478:17 relative to fees for register of deeds shall not apply to the register of deeds for Rockingham county.

**67:3 Effective Date.** This act shall take effect January 1, 1968.

[Approved April 20, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 68.

### AN ACT RELATIVE TO RENEWAL OF LICENSES FOR MOTOR VEHICLE OPERATORS WHO ARE MEMBERS OF THE ARMED FORCES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**68:1 Motor Vehicle Operation.** Amend RSA 261:15 as amended by 1965, 298:1 by striking out said section and inserting in place thereof the following: **261:15 License Expiration; Members of the Armed Forces.** Any person who is a member of the armed forces of the United States and who at the time of induction, call to active duty or enlistment into the armed forces for two or more years, was a resident of this state and was a holder of a valid New Hampshire license to operate motor vehicles in this state, is entitled to renewal of such license without cost by application to the division of motor vehicles. Said application must be accompanied by a letter giving date of expiration of active duty, signed by a commissioned officer. Such a person while operating a motor vehicle, shall carry upon his or her person the license issued. The privilege of this section remains in effect for ninety days after the discharge or release of such a person from active duty. Nothing in this section permits a person against whom a revocation or suspension of license is in force, or a person who has been refused a license by the director of the division of motor vehicles, to operate a motor vehicle.

**68:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 20, 1967.]

[Effective date June 19, 1967.]

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## CHAPTER 69.

### AN ACT RELATIVE TO APPOINTMENT OF DEPUTY TREASURER FOR ROCKINGHAM COUNTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**69:1 Appointment of Deputy Treasurer by County Commissioners.** Amend RSA 29:15 (supp) as inserted by 1963, 93:1 by striking out in line two thereof the words "superior court acting as a body" and in place thereof the words (county commissioners upon recommendation of the treasurer) so that said section as amended shall read as follows: **29:15 Deputy Treasurer.** On or before June first, annually, the county commissioners upon recommendation of the treasurer shall appoint a deputy treasurer for the county of Rockingham. Said deputy treasurer shall serve only during the absence of the county treasurer. The compensation of the deputy treasurer shall be five dollars for each day he is engaged in his official duties hereunder and said compensation shall be paid by the county of Rockingham.

**69:2 Effective Date.** This act shall take effect May 15, 1967.

[Approved April 20, 1967.]

[Effective date May 15, 1967.]

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## CHAPTER 70.

### AN ACT FOR THE ESTABLISHMENT OF THE POSITION OF POET LAUREATE OF THIS STATE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**70:1 Poet Laureate.** Amend RSA by inserting after chapter 3 (supp) as amended by 1955, 305:1, 1957, 87:1 and 107:1 and 1963, 208:1 the following new chapter:

#### Chapter 3-A

#### Poet Laureate

**3-A:1 Position Established.** There is hereby established the position of poet laureate for the state. The governor, with the advice and consent of the council, shall appoint the poet laureate. Said person so honored

shall be a resident of this state and he shall serve in such position during his lifetime.

**3-A:2 Recommendations.** Prior to the appointment of a poet laureate the board of directors of the Poetry Society of New Hampshire shall submit to the governor and council the name or names of persons whom they deem to be worthy of the honorary position. Upon the death of a poet laureate the society shall again submit to the governor and council a name or names for a successor.

**3-A:3 No Compensation.** The position thus established shall be an honorary one and the poet laureate shall not be entitled to compensation.

**70:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 20, 1967.]

[Effective date June 19, 1967.]

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## CHAPTER 71.

### AN ACT RELATING TO THE UNIFORM GIFTS TO MINORS LAW.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**71:1 Uniform Gifts to Minors.** Amend subparagraph (a) of paragraph I of RSA 463-A:2 (supp) as inserted by 1957, 74:1 by striking out the same and inserting in place thereof the following subparagraph:

(a) if the subject of the gift is a security in registered form, by registering it in the name of the donor, another adult person, an adult member of the minor's family, a guardian of the minor or a trust company, followed, in substance, by the words: "as custodian for .....  
(name of minor)  
under the New Hampshire Uniform Gifts to Minors Law."

**71:2 Gifts.** Amend subparagraph (c) of paragraph I of RSA 463-A:2 (supp) as inserted by 1957, 74:1 by striking out the same and inserting in place thereof the following subparagraph:

(c) if the subject of the gift is money, by paying or delivering it to a broker or a bank for credit to an account in the name of the donor, another adult person, an adult member of the minor's family, a guardian of the minor or a bank with trust powers, followed, in substance, by the words: "as custodian for .....  
(name of minor)  
Uniform Gifts to Minors Law."

**71:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 20, 1967.]

[Effective date June 19, 1967.]

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## CHAPTER 72.

AN ACT RELATIVE TO FORM FOR SELECTMEN'S TAX INVOICE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**72:1 Tax Appraisals.** Amend RSA 75:4 by striking out said section and inserting in place thereof the following: **75:4 Invoices.** The selectmen shall set down in their invoice, in separate columns, the value of improved and unimproved land, of buildings, of factories and factory machinery, of public utility property, of house trailers and mobile homes, the value of stock in trade, the number and value of oxen and other neat stock, the number and value of poultry and of all other classes of taxable property.

**72:2 Effective Date.** This act shall take effect April 1, 1968.

[Approved April 20, 1967.]

[Effective date April 1, 1968.]

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## CHAPTER 73.

AN ACT RELATIVE TO REGULATIONS FOR SALE OF BAIT AND MANNER OF  
KEEPING SUCH BAIT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**73:1 Bait Dealers.** Amend 214:35 by striking out said section and inserting in place thereof the following new section: **214:35 Rules and Regulations.** The director shall have the power and authority to make and enforce rules and regulations relative to licenses for bait dealers dealing in live fish, which authority shall include the power to determine the bag limits which a dealer may have in his possession at any one time, the bag limit which he may take in any one day, and the method of keeping such bait for sale. Nothing in this act shall effect the sale of garden worms or night crawlers.

**73:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 20, 1967.]

[Effective date June 19, 1967.]

**CHAPTER 74.**

AN ACT RELATIVE TO BALLOTS UNDER THE UNOFFICIAL BALLOT SYSTEM.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**74:1 Election by Unofficial Ballot.** Amend RSA 61 by inserting after section 1 the following new section: **61:1-a Ballots.** The ballots used at an election under this chapter shall be plain white paper of a uniform weight. If names are to be written on the ballot the election officials shall provide blank pieces of white paper of a uniform size to be used by the voter to write thereon the candidate of his choice.

**74:2 Effective Date.** This act shall take effect August 1, 1967.

[Approved April 20, 1967.]

[Effective date August 1, 1967.]

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**CHAPTER 75.**

AN ACT RELATIVE TO THE PROVISIONS FOR DISQUALIFYING PREGNANT WOMEN FOR UNEMPLOYMENT COMPENSATION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**75:1 Unemployment Compensation.** Amend subsection A of RSA 282:4 as amended by 1955, 4:1, 141:9; 1957, 118, 4, 5; 1959, 28:2, 3; 1963, 194:5 and 1965, 208:3 by inserting after (1) the following subparagraph:

(a) In the case of a woman who is disqualified under paragraph (1) above for leaving her work due to pregnancy, the three-week work-and-earning requirement in the first paragraph of this subsection shall be one week.

**75:2 Disqualifications for Benefits.** Amend RSA 282:4, J, as amended by 1955, 141:9 by striking out said subsection and inserting in place thereof the following:

J. For the eight weeks immediately preceding the week of expected date of childbirth as certified by a legally licensed physician, and thereafter until she earns in one week wages in employment as defined under section 1-H equal to or in excess of three dollars more than her maximum weekly benefit amount.

**75:3 Repeal.** RSA 282:6, C(2)(d) as amended by 1955, 141:12, relative to charging benefits paid following childbirth to the fund, is hereby repealed.



**75:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 20, 1967.]

[Effective date June 19, 1967.]

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## CHAPTER 76.

AN ACT RELATIVE TO FEES PAID BY COLLECTOR OF TAXES TO REGISTER OF DEEDS FOR SERVICES IN CONNECTION WITH TAX SALES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**76:1 Taxes Sales; Fees.** Amend RSA 80:46 by striking out said section and inserting in place thereof the following: **80:46 Register of Deeds.** The register of deeds shall be paid by the collector of taxes the following fees: For recording and indexing each parcel advertised to be sold, fifty cents; for recording and indexing a report of payment before sale or redemption after sale or discharge of lien fifty cents; for recording and indexing a report of tax sale, each parcel sold, fifty cents; for recording and indexing the payment of a subsequent tax, fifty cents. The collector of taxes shall be reimbursed for the fees advanced to the register by the person paying the tax before sale, or redeeming the real estate after the real estate has been sold, or requesting the discharge of the tax lien. The register of deeds may make such charge as he deems reasonable and proper for searching the records and reporting mortgage encumbrances at the request of a purchaser at a tax sale, however this shall not be considered a mandatory duty of the register of deeds.

**76:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 20, 1967.]

[Effective date June 19, 1967.]

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## CHAPTER 77.

AN ACT TO EXTEND UNDER CERTAIN CONDITIONS THE PERIOD FOR PAYMENT FROM GENERAL APPROPRIATIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**77:1 Budget; Appropriations.** Amend RSA 9:18 by striking out said section and inserting in place thereof the following: **9:18 Lapsed Appropriations.** Except as otherwise specially provided, all unexpended portions of special appropriations shall lapse when the object for which the appropriation was made has been accomplished and, in any event, at the

expiration of three years from the date when the act creating the appropriation first took effect, unless there are obligations incurred by contract thereunder, made within said period, in which case there shall be no lapse until the satisfaction or fulfillment of such contractual obligations. Except as otherwise specially provided, all unexpended portions of general appropriations which have not been expended during the fiscal year for which they were appropriated shall lapse at the end of fifteen days after the expiration of the year. If a general appropriation involves federal funds, upon request from the department or agency of the state to which the appropriation has been made, the governor and council may, if they find that such federal funds will be lost for expenditure by the state if said appropriation lapses, extend the time for the lapsing of so much of said appropriation as would thereby be lost. Upon request from a department or agency of the state to which a general appropriation has been made the governor and council may, if they find that the supply of any equipment which is to be paid for by any part of such appropriation has been preempted by the federal government, extend the time for the lapsing of so much of the said appropriation as is needed to purchase the required amount of said article. No later than two weeks after the convening of any regular session of the legislature, the state comptroller shall submit a list of all extensions of the time of lapsing of any general appropriation approved by the governor and council under this section together with the reasons therefor to the chairman of the appropriations committee of the house of representatives and to the chairman of the senate finance committee.

**77:2 Effective Date.** This act shall take effect upon passage.

[Approved April 20, 1967.]

[Effective date April 20, 1967.]

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## CHAPTER 78.

### AN ACT RELATIVE TO LEGAL DIVISION FENCES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**78:1 Term Defined.** Amend RSA 473:5 by striking out the same and inserting in place thereof the following: **473:5 Legal Fences.** All fences of such height as to be reasonably adequate for their purpose and in good repair, consisting of rails, timber, boards or stone wall, barbed, electrified or woven wire, and all brooks, rivers, ponds, creeks, ditches, hedges and other things deemed by the fence-viewers to be equivalent thereto, shall be accounted legal and sufficient fences.

**78:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 27, 1967.]

[Effective date June 26, 1967.]

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## CHAPTER 79.

### AN ACT RELATIVE TO SEALS ON LIQUOR PACKAGES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**79:1 Seals not Required.** Amend RSA 177:4 by striking out in lines two and three the words "sealed with the seal of the commission" so that the section as amended shall read as follows: **177:4 Packages.** All liquor sold in state stores shall be sold for consumption off the premises. Such liquor shall be in packages containing such quantity as said commission shall prescribe; and the commission is authorized to prescribe the form of bottle and package, and to bottle such liquor as it may deem necessary and proper. The price of all liquor sold shall be sufficient to pay for the cost of the liquor purchased, plus the operating expenses of the state stores, plus a proportionate part of the overhead expenses of the commission, plus an additional charge; all to be determined by the commission. Purchases of liquor shall be made on requisition in such form as the commission may prescribe. Said commission is hereby authorized to limit the amount of liquor which may be purchased by any person at any one time and liquor sold in a state store shall not be consumed in any public place.

**79:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 27, 1967.]

[Effective date June 26, 1967.]

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## CHAPTER 80.

### AN ACT RELATIVE TO FEES TO BE PAID TO TAX COLLECTOR IN SALE OF PERSONAL PROPERTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**80:1 Tax Collector Fees.** Amend RSA 80:44 by striking out said section and inserting in place thereof the following: **80:44 Sale of Personal Property.** Each tax collector shall receive the following fees to be charged as costs for the services listed below,

- I. For each distraint and notice of sale, two dollars.
- II. For conducting sale of distrained property, two dollars.
- III. For travel from collector's home or office to place of distraint and return, ten cents per mile.
- IV. For travel from collector's home or office to place of sale and return, ten cents per mile.
- V. For the account of property distrained to be delivered to the owner, one dollar.
- VI. Commission on value of property sold, five per cent.
- VII. The collector shall be allowed his actual and necessary expenses in connection with the keeping, storage and care of the property distrained.

**80:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 27, 1967.]

[Effective date June 26, 1967.]

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## CHAPTER 81.

### AN ACT RELATIVE TO MOUNTAIN LIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**81:1 Mountain Lion.** Amend RSA 208 by inserting after section 1-a (supp) as inserted by 1965, 83:1 and amended by 1967, 14:1 the following new sections:

**208:1-b Mountain Lion.** No person shall, at any time, shoot, hunt, take, or have in his possession, any mountain lion or any part of the carcass thereof, taken in this state. However, this section shall not apply to a person acting in protection of his person or property.

**208:1-c Exception.** The director of the department of fish and game may, should mountain lions become a nuisance in any part of the state, take and authorize such measures as he deems necessary for control of this animal.

**81:2 Claims for Damages.** Amend RSA 207:23-a, as inserted by 1955, 324:4, by inserting after the word "bear" where it occurs in lines two and six the words (or mountain lion) so that said section as amended shall read as follows: **207:23-a Damage by Bears or Mountain Lions.** A person who suffers loss or damage to livestock, bees, orchards or growing crops, by bear or mountain lions, shall, if he claim damages therefor,

notify the director of fish and game in writing of such damage. The director or his agent shall investigate such claim within thirty days from the receipt by him of notice of such damage, determine whether such damage was caused by bear or mountain lions, and appraise the amount to be paid. The appraisal shall be made within sixty days from the receipt of the notice of damage; and the director shall present his certificate of the amount of appraisal to the governor, who is authorized to draw his warrant upon any money in the treasury not otherwise appropriated in payment therefor.

**81:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 27, 1967.]

[Effective date June 26, 1967.]

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## CHAPTER 82.

### AN ACT DEFINING PROPRIETARY MEDICINES AND RELATIVE TO THE SALE THEREOF.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**82:1 Definition.** Amend paragraph XI of RSA 318:1 by striking out the paragraph and inserting in place thereof the following: XI. Proprietary medicines, when not otherwise limited, means completely compounded non-prescription packaged drugs, medicines and non-bulk chemicals which are sold, offered, promoted or advertised by the manufacturer or primary distributor thereof under a trademark, trade name or other trade symbol, whether or not registered in the United States Patent Office, and the labeling of which conforms to the requirements of the Federal Food, Drug, and Cosmetic Act; provided that this definition shall not include (a) drugs which are only advertised and promoted professionally to licensed physicians, dentists or veterinarians, (b) a narcotic or drug containing a narcotic, (c) a drug the label of which bears substantially either the statement "Caution — Federal law prohibits dispensing without prescription" or "Warning — may be habit-forming" or (d) a drug intended for injection.

**82:2 Sale of Proprietary Medicines.** Amend paragraph II of RSA 318:42 by striking out the paragraph and inserting in place thereof the following: II. This shall not prevent the sale of proprietary medicines as defined in paragraph XI of section 1 of this chapter.

**83:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 27, 1967.]

[Effective date June 26, 1967.]

**CHAPTER 83.****AN ACT RELATIVE TO THE FIRE SERVICE TRAINING PROGRAM.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**83:1 Training in Administration.** Amend RSA 154-A:1 as inserted by 1961, 274:1 and amended by 1963, 124:1 by inserting at the end of said section (and the administration of such fire departments.) so that said section as amended shall read as follows: **154-A:1 Program Authorized.** The state board of education in conjunction with the state board of fire control is hereby authorized and directed to administer and supervise a fire service training program throughout the state to provide local fire fighters and members of municipal and volunteer fire departments with instruction in dealing with the causes, prevention and techniques of fighting fires in this modern age and the administration of such fire departments.

**83:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 27, 1967.]

[Effective date June 26, 1967.]

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**CHAPTER 84.****AN ACT TO ESTABLISH CHECKING STATIONS FOR REGISTRATION OF DEER KILLED.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**84:1 Deer Killed.** Amend RSA 208 by inserting after section 15 the following new sections:

**208:15-a Deer Registration Stations.** The director shall cause to be established such number of deer registration stations as he may deem necessary for the purpose of registering deer killed in the state. Each such station shall be in charge of an agent designated by the director. Once each year a list of such agents and the location of registration stations shall be published in one or more newspapers in the state.

**208:15-b Registration and Fees.** The registration agent shall register each deer legally presented for registration and shall attach a metal seal to each deer in the manner prescribed by the director. The agent shall receive from the person registering the deer the sum of twenty-five cents for each such seal which fee shall be retained by the agent.

**208:15-c Records.** The agent shall keep such records as may be prescribed by the director which records shall be subject to inspection at anytime by the director or his agent.

**208:15-d Presentation for Registration.** Any person killing a deer shall present the same for registration at the first open deer registration station on the route taken by the person who killed said deer. No person shall present for registration, or allow to be registered in his name, a deer which he himself did not kill.

**208:15-e Prohibition.** No person shall keep a deer in his home, or any place of storage, except at a deer registration station, for a period of more than twelve hours unless said deer has been legally registered.

**208:15-f Leaving Deer in Woods.** If a person, after killing a deer, shall leave the location where the deer was killed without taking said deer he shall notify a conservation officer within twelve hours as to the location of the deer and describe the circumstances necessitating his leaving the deer in the woods.

**208:15-g Registration Required.** No person shall have in his possession at anytime any deer, or part thereof, which has not been legally registered as herein provided. The provisions of this section shall not apply to possessions of a deer between the time it was killed and the presentation of the deer at the registration station.

**84:2 Requirements.** Amend RSA 208:9 as amended by 1957, 250:1, by striking out said section and inserting in place thereof the following:

**208:9 Possession of Deer.** Wild Deer, or any part of the carcass thereof, lawfully taken may be possessed until February first next following the date when taken, and not otherwise except as provided herein for frozen meat and as otherwise permitted by the director. Any part of the carcass of wild deer solidly frozen may be possessed during the closed season on deer in a freezer locker. Possession of wild deer or any part of the carcass thereof without the deer tag and registration seal being attached or as otherwise permitted in this section or by special permission of the director or his agent shall be prima facie evidence that the same was unlawfully taken. A person may bring into and possess in this state a deer lawfully taken in another state, provided such person shall obtain from the director within ten days after bringing such deer into the state a permit to possess such deer.

**84:3 Transportation of Deer.** Amend RSA 208:12 by striking out said section and inserting in place thereof the following: **208:12 By Residents.** A resident of the state may transport within the state, during the open season therefor and for ten days thereafter, a deer legally taken by him, when accompanied by him and open to view, and to which the deer tag has been attached as provided in section 16 hereof and to which the

registration seal has been attached. If said deer or carcass thereof be placed in the custody of a licensed common carrier it shall, in addition to said deer tag and registration seal, have attached thereto a tag, plainly marked, with the name of the consignor, the name of the consignee, the point of shipment, and the designation. [destination]

**84:4 Special Provisions.** Amend RSA 208:13 by striking out said section and inserting in place thereof the following: **208:13 By Nonresidents.** The holder of a nonresident hunting license may transport within the state or from a point within the state to a point outside the state, a deer legally taken by him, when accompanied by him and open to view and to which the deer tag has been attached as provided in section 16 hereof and also to which the registration seal has been attached. If such deer or carcass thereof be placed in the custody of a licensed common carrier, it shall in addition to said deer tag and registration seal have attached thereto another tag plainly marked with the name of the consignor, the name of the consignee, the point of shipment, and the destination. The agent of the common carrier shall see that deer tag attached to the deer or carcass thereof bears the same number as the license held by the licensee.

**84:5 Deer Tags.** Amend RSA 208:16 by striking out said section and inserting in place thereof the following: **208:16 Use of Deer Tag.** Each hunting license shall be provided with a special deer tag. The holder of a license shall, upon killing his deer, detach, fill out and attach to the deer or carcass, by means of a string or wire the deer tag bearing the name and address of the licensee. Said deer tag shall remain attached to the deer or carcass thereof as long as said deer or carcass shall remain in the state and the owner shall be entitled to transport it or have it transported as provided in sections 12 and 13 of this chapter.

**84:6 Repeal.** RSA 208:16-a, as inserted by 1959, 27:1 and 208:17, relative to deer coupons, are hereby repealed.

**84:7 Effective Date.** This act shall take effect September 1, 1967.  
[Approved April 27, 1967.]  
[Effective date September 1, 1967.]

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## CHAPTER 85.

AN ACT TO AUTHORIZE COOPERATIVE BANKS AND BUILDING AND LOAN ASSOCIATIONS TO BORROW UP TO FIFTEEN PERCENT OF ITS SHARE CAPITAL WITHOUT PRIOR APPROVAL OF THE BANK COMMISSIONER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**85:1 Limit on Borrowing.** Amend RSA 393:22 (supp) as amended by 1961, 136:5 and 1963, 313:3, by striking out in lines two and five the word



“ten” and inserting in its place the word (fifteen) so that the said section as amended shall read as follows: **393:22 Borrowing.** It may, without consent of the commissioner, borrow not in excess of fifteen per cent of its share capital and may pledge as collateral for such borrowings real estate mortgages, notes and other securities. It may with the consent of the commissioner, borrow in excess of fifteen per cent of its share capital, and with his approval may pledge as collateral, real estate mortgages, notes, and other securities.

**85:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 27, 1967.]

[Effective date June 26, 1967.]

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## CHAPTER 86.

AN ACT TO AUTHORIZE THE DIVISION OF PROFITS OF COOPERATIVE BANKS  
AND BUILDING AND LOAN ASSOCIATIONS INTO DIFFERENT  
CLASSIFICATIONS INCLUDING CLUB ACCOUNTS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**86:1 Building and Loan Associations.** Amend RSA 393:29 (supp) as amended by 1965, 317:5 by striking out the section and inserting in its place the following: **393:29 Division of Profits.** After providing for the requirements of the guaranty fund, cooperative banks, building and loan associations, and savings and loan associations may pay dividends from their net income. A cooperative bank or association may classify its savings accounts according to the character, amount, or duration thereof, or regularity of additions thereto, and each savings account in the same classification shall receive the same ratable portion of earnings except that club accounts may or may not receive dividends. The board of directors of a cooperative bank or association may also determine the minimum balance necessary to entitle an account to receive dividends.

**86:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 27, 1967.]

[Effective date June 26, 1967.]

**CHAPTER 87.**

AN ACT TO AUTHORIZE COOPERATIVE BANKS AND BUILDING AND LOAN ASSOCIATIONS TO PURCHASE REAL ESTATE IN WHICH TO TRANSACT ITS BUSINESS AT A COST AS APPROVED BY THE BANK COMMISSIONER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**87:1 Real Estate Developments.** Amend paragraph II of RSA 393:24 (supp) as amended by 1955, 131:1; 1963, 313:4, and 1965, 317:3 by striking out the paragraph and inserting in its place the following:

II. In the purchase of improved or unimproved real estate and in the construction or improvement of buildings thereon for the purpose of providing offices for the transaction of an association's business. Such buildings may also include space for rental purposes. The cost to the association of such lands and buildings shall not exceed the sum of such association's guaranty fund, surplus, other reserves at the time such investment is made, except as it is authorized to do so by the commissioner.

**87:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved April 27, 1967.]

[Effective date June 26, 1967.]

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**CHAPTER 88.**

AN ACT RELATING TO STATE BONDS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**88:1 New Chapter.** Amend RSA by inserting after chapter 6 the following new chapter:

**Chapter 6-A****State Bonds**

**6-A:1 State Bonds.** This chapter shall apply to all bonds of the state authorized by the legislature at its January, 1967, session and enacted after the passage hereof or at any subsequent session, unless otherwise provided in the authorizing acts.

**6-A:2 Denominations. Form and Maturities.** The bonds shall be issued by the state treasurer when authorized by the governor and council. They may be issued at one time or in a series from time to time. The maturity dates of each series shall be determined by the governor and council, but in no case shall they be later than twenty years from the date

of issue. The bonds shall be in such form and denominations as the governor and council shall determine and, subject to RSA 6:14 and 6:15, may be nonregistrable or registrable as to principal only or registrable as to both principal and interest. Subject to the provisions of RSA 93-A, they shall be signed by the treasurer and countersigned by the governor. They shall be deemed a pledge of the faith and credit of the state.

**6-A:3 Accounts.** The secretary of state shall keep an account of all the bonds showing the number and amount of each, the interest rate thereon and the date of maturity. The state treasurer shall keep an account of each bond showing the number and amount thereof, the interest rate thereon, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

**6-A:4 Short Term Notes.** Pending the issue of bonds, the state treasurer, when authorized by the governor and council, may borrow money on short term notes in anticipation of the bonds. At no time shall the amount due on such short term notes exceed the amount of the appropriation for the same purposes. Each such note shall mature within five years from its date, provided that notes issued for a shorter period may be refunded from time to time by the issue of other such notes maturing within five years from the date of the original loan being refunded. The notes may also be refunded by the issue of bonds hereunder or may be paid from any cash in the treasury. The notes shall be deemed a pledge of the faith and credit of the state.

**6-A:5 Advances from the Treasury.** Pending the issue of bonds or notes hereunder or in lieu of the issue of notes hereunder, the state treasurer may use any cash in the treasury for the purposes for which the bonds were authorized. Such advances shall be repaid without interest from the proceeds of bonds or notes issued hereunder.

**6-A:6 Sale of Bonds or Notes.** Bonds issued hereunder shall be sold by the state treasurer with the approval of the governor and council in such manner as the governor and council deem to be most advantageous to the state. Notes issued hereunder shall be sold by the state treasurer with the approval of the governor, in a manner established from time to time by the governor and council.

**6-A:7 Proceeds.** The proceeds from the sale of bonds and notes hereunder, except premiums and accrued interest, and from any advances under section 5 shall be held by the state treasurer and paid out by him upon warrants drawn by the governor for the purposes for which the bonds were authorized. The governor, with the advice and consent of the council, shall draw his warrant for the payments from such funds of all sums expended or due for such purposes.

**6-A:8 Consolidation.** The bonds authorized by one or more acts of the legislature may be combined by the state treasurer, and with the ap-

proval of the governor and council, upon their issue into one or more consolidated issues. The particular bonds of such consolidated issue issued under each authority may but need not be designated by number or otherwise.

**6-A:9 Expiration of Office.** Any bonds or notes issued pursuant to this chapter, if properly executed by the officers of the state in office on the date of the signing or on the date of imprinting of the facsimile signature, as the case may be, shall be valid and binding according to their terms notwithstanding that before delivery thereof and payment therefor any or all such officers shall have for any reason ceased to hold office.

**88:2 Effective Date.** This act shall take effect upon its passage.

[Approved April 27, 1967.]

[Effective date April 27, 1967.]

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## CHAPTER 89.

AN ACT RELATIVE TO SERVICES AVAILABLE AT THE NEW HAMPSHIRE HOSPITAL TO EMPLOYEES THEREOF SUFFERING FROM CONTAGIOUS DISEASES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**89:1 State Officials.** Amend RSA 94 by inserting after section 5 (supp) as amended by 1955, 153:3 1957, 223:3 1963, 39:2; 303:1 and 1965, 365:2 the following new section: **94:5-a New Hampshire Hospital.** Notwithstanding the provisions of section 5 any unclassified employee at the New Hampshire Hospital, who is suffering from, or suspected of having, a contagious disease which would create a health menace at said hospital, may be examined and may, with the approval of the superintendent, remain at the hospital and utilize certain hospitalization and medical services there, provided that said employee shall reimburse the hospital for such services rendered hereunder.

**89:2 Classified Employees.** Amend RSA 99 by inserting after section 2-a (supp) as inserted by 1965, 239:10, the following new section: **99:2-b New Hampshire Hospital.** Notwithstanding the provisions of section 2-a any classified employee of the New Hampshire Hospital who is suffering from, or suspected of having a contagious disease, which would create a health menace at said hospital may be examined and may, with the approval of the superintendent, remain at the hospital and utilize certain hospitalization and medical services there, provided said employee shall reimburse the hospital for such services rendered hereunder.

**89:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 8, 1967.]

[Effective date July 7, 1967.]

**CHAPTER 90.****AN ACT RELATIVE TO COMPUTATION OF TIME FOR POSTING A TOWN OR SCHOOL DISTRICT WARRANT.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**90:1 Town Meeting.** Amend RSA 39:5 by inserting after the word "meeting" in line five the words (not counting the day of posting nor the day of the meeting) so that said section as amended shall read as follows:  
**39:5 Posting Warrant.** The selectmen may address their warrant to the inhabitants of the town qualified to vote in town affairs, in which case they shall post an attested copy of such warrant at the place of meeting, and a like copy at one other public place in the town, fourteen days before the day of meeting, not counting the day of posting nor the day of the meeting.

**90:2 School District Meeting.** Amend RSA 197:7 by inserting after the word "meeting" in line four the words (not counting the day of posting nor the day of the meeting) so that said section as amended shall read as follows:  
**197:7 Posting Warrant.** The school board or justice issuing a warrant shall cause an attested copy of it to be posted at the place of meeting, and a like copy at one other public place in the district, fourteen days before the day of meeting, not counting the day of posting nor the day of the meeting.

**90:3 Effective Date.** This act shall take effect January 1, 1968.

[Approved May 8, 1967.]

[Effective date January 1, 1968.]

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**CHAPTER 91.****AN ACT RELATIVE TO THE POWERS OF THE COMMISSIONER OF INSURANCE TO EXAMINE RELEVANT DOCUMENTS TO DETERMINE WHETHER LAWFUL RATES ARE BEING CHARGED.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**91:1 Permissive Auditing.** Amend RSA 414 by inserting after section 4 the following new section:  
**414:4-a Authority to Examine.** As often as the commissioner deems necessary, he or his delegate may examine all policies, daily reports, binders, renewal certificates, endorsements, and other evidences of insurance or of the cancellation thereof, for the purpose of ascertaining that lawful rates are being charged. In connection therewith he may require the company or any officer or agent to produce all books and papers relating to the formulation or change of such rates in

the possession of the company or agent and shall have power to examine under oath any such officer or agent of said company on matters pertinent to the formulation or changing of such rates. The expense of an examination undertaken pursuant to authority hereby conferred shall be borne by the company examined.

**91:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 8, 1967.]

[Effective date July 7, 1967.]

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## CHAPTER 92.

### AN ACT EXTENDING THE POWERS OF CERTAIN PRIVATE CORPORATIONS ORGANIZED UNDER SPECIAL LEGISLATIVE ACT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**92:1 Private Corporations.** Amend RSA 292 by inserting after section 8-k, as inserted by 1965, 44:1, the following new subdivision:

#### Special Corporations

**292:8-1 Powers Extended.** Any non-profit corporation heretofore organized by special act of the legislature for purposes as set forth by section 1 of this chapter may change its name, may eliminate any limitation on the assets it is authorized to hold, may provide for distribution of its assets upon dissolution of the said corporation, by a majority vote of such corporation, unless otherwise provided by any such special act or the by-laws of any such corporation, at a meeting duly called for that purpose, and by recording a certified copy of such vote in the office of the secretary of state. The fee for recording said certified copy in the office of the secretary of state shall be ten dollars.

**92:2 Limitations.** Amend RSA 292:8-g as inserted by 1965, 44:1 by striking out said section and inserting in place thereof the following:  
**292:8-g Limitation on Name.** Notwithstanding the provisions of RSA 292:3 no person, school, association or corporation shall use in any way the term "junior college", or "college" or "university" in connection with an institution, or use any other name, title or descriptive matter tending to designate that it is an institution of higher learning unless it has been incorporated under the provisions of this chapter. The provisions of this section shall not apply to a person, school, association or corporation which has been authorized to use said terms by law prior to January 1, 1965. Any person, school, association or corporation authorized by a special act of the legislature shall not change its name to include any of said terms under the provisions of section 8-1 unless its amendment there-

for shall be submitted to and approved by the board prior to being filed in the office of the secretary of state.

**92:3 Takes Effect.** This act shall take effect sixty days after its passage.

[Approved May 8, 1967.]

[Effective date July 7, 1967.]

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## CHAPTER 93.

AN ACT TO AUTHORIZE NURSING CARE AT THE SOLDIERS' HOME.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**93:1 Nursing Home Care in Soldiers' Home.** Amend RSA 119:1 by adding to the end of the section a new sentence as follows: (The care of veterans under this section includes nursing care for any veteran otherwise eligible for admittance) so the section as amended shall read as follows: **119:1 Establishment.** There is established in this state a home known as the New Hampshire Soldiers' Home for the support and care of men who served in the armed forces of the United States in any war in which the United States has been, is, or shall be engaged, and who are or shall be honorably discharged therefrom. A veteran who desires to enter said home shall make application for admittance to the board of managers. Admittance shall be at the discretion of said board. The care of veterans under this section includes nursing care for any veteran otherwise eligible for admittance.

**93:2 Effective Date.** This act shall become effective sixty days after its passage.

[Approved May 9, 1967.]

[Effective date July 8, 1967.]

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## CHAPTER 94.

AN ACT PROVIDING FOR AN ANNUAL PERMIT FOR REGISTRATION OF NURSES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**94:1 Registration of Nurses.** Amend RSA 326-A:6, as inserted by 1959, 265:1 by striking out said section and inserting in place thereof the following: **326-A:6 Annual Permit.** Any person, who has at any time received a certificate of registration in this or any other state and intends to engage in the practice of nursing in this state shall annually before his birthday file a renewal application on the form provided by the board

and a fee of three dollars, whereupon, if he has complied with all the requirements of this chapter and the rules and regulations of the board, he shall be granted a permit which shall entitle him to engage in the practice of nursing for a period of one year from his birthday. If any person fails to renew his annual permit by his birthday, such permit shall lapse. Such person may be reinstated and his permit revalidated by the board after satisfactory explanation and upon payment of the required fee. Any person practicing professional nursing whose permit has lapsed or is not in full force and effect at such time shall be subjected to the penalties provided in this act as an illegal practitioner. Any person who is not engaged in professional nursing in this state shall not be required to pay the renewal fee for so long as he does not so practice, but shall notify the board of his inactive status in nursing. Prior to resumption of his practice of professional nursing, such person shall be required to notify the board and remit a renewal fee for the current period.

**94:2 Powers of Board.** Upon the enactment of this act the board of nursing education and nurse registration is authorized to establish the necessary procedures and fees, not to exceed those established by RSA 326-A:6, to effect an orderly transition from a biennial registration to annual registration.

**94:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved May 9, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 95.

AN ACT ESTABLISHING THE POSITION OF RESEARCH ASSISTANT TO THE  
INSURANCE COMMISSIONER.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**95:1 Insurance Commissioner.** Amend RSA 400 by inserting after section 5 the following new sections:

**400:5-a Research Assistant to the Commissioner.** The commissioner, subject to the approval of the governor and council, shall appoint a research assistant to the commissioner who shall hold office for a term of five years from the date of his appointment and until his successor is appointed and qualified. Any vacancy in such office shall be filled for the unexpired term.

**400:5-b Duties.** The commissioner may assign and delegate such of his duties to the research assistant to the commissioner as he may deem advisable and in the public interest.



**95:2 Interest in Insurance Company.** Amend RSA 400:6 by striking out said section and inserting in place thereof the following:

**400:6 Eligibility.** No person is eligible to the office of commissioner, deputy commissioner, or research assistant to the commissioner who is an agent, officer, or stockholder of an insurance company.

**95:3 Requirements.** Amend RSA 400:7 by striking out said section and inserting in place thereof the following:

**400:7 Bonds.** The commissioner, the deputy commissioner, and the research assistant to the commissioner shall give bonds to the state conditioned upon the faithful discharge of the duties of their offices. Said bonds shall be filed in the office of the secretary of state.

**95:4 Research Assistant.** Amend RSA 400:8 by striking out said section and inserting in place thereof the following:

**400:8 Compensation of Commissioner, Deputy, and Research Assistant.** The salary of the commissioner, deputy commissioner, and research assistant to the commissioner shall be as prescribed in RSA 94:1-4.

**95:5 Allowances.** Amend RSA 400:9 by striking out said section and inserting in place thereof the following:

**400:9 Expenses.** The commissioner, the deputy commissioner, and the research assistant to the commissioner shall be allowed their traveling expenses while engaged in the performance of their duties.

**95:6 Salary.** Amend RSA 94:1 (supp) as amended, by inserting in its proper alphabetical order the following:

Research assistant to the insurance commissioner    \$9,000    \$10,500

**95:7 Transfer of Appropriation.** The appropriation in 1965, 282:1 for salary of assistant to commissioner in the office of the insurance commissioner in the amount of nine thousand, three hundred seventy-five dollars is hereby transferred to, appropriated, and made available for the salary of the research assistant to the insurance commissioner established by section 1 of this act.

**95:8 Effective Date.** This act shall take effect upon its passage.

[Approved May 9, 1967.]

[Effective date May 9, 1967.]

**CHAPTER 96.****AN ACT ESTABLISHING THE OFFICE OF STATE GEOLOGIST.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**96:1 State Geologist.** Amend RSA 12-A (supp) as inserted by 1961, 223 by inserting after section 4 the following new sections:

**12-A:4-a State Geologist; Office Established.** Within the division of economic development in the department of resources and economic development there shall be the office of state geologist. Said geologist shall be appointed by the commissioner of resources and economic development and shall be a member of the faculty of the department of geology of any accredited college or university situated in the state of New Hampshire.

**12-A:4-b Duties.** The duties of the state geologist shall be to collect and interpret geologic mineralogic information, to coordinate cooperative projects with U. S. Geological Survey, U. S. Bureau of Mines and other agencies, to research the geology and mineral resources of the state, to serve as editor for state geologic publications, to make studies related to the geology of the state, to cooperate with federal agencies in collecting data on geologic activity and mineral industries, and to assist in educational programs in geology and mineral resources at state educational institutions and public schools.

**96:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved May 9, 1967.]

[Effective date July 1, 1967.]

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**CHAPTER 97.****AN ACT TO AUTHORIZE COOPERATIVE BANKS AND BUILDING AND LOAN ASSOCIATIONS TO MAKE A SERVICE CHARGE ON DEFAULTED ACCOUNTS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**97:1 Fines and Service Charges.** Amend RSA 393:20 by striking out the section and inserting in its place the following: **393:20 Fines and Service Charges.** It may impose fines upon its shareholders and upon those of its borrowers who are shareholders, for the non payment of dues, interest, and premiums as they become due, not exceeding two per cent a month upon the sums unpaid, and not extending beyond a period of six months from the time of the first default. It may make a service charge of not more than one dollar in any calendar year against any savings account if at the time any such charge is made: (a) The association is not

required to distribute earnings on such account; (b) no payment has been made and no earnings have been distributed on such account for a period of at least twenty-five months next preceding the date on which such charge is made; and (c) thirty days prior to making the first service charge, the association will mail to the holder of such account, at its last known address, a notice that service charges will be made in accordance with this section.

**97:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 9, 1967.]

[Effective date July 8, 1967.]

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## CHAPTER 98.

AN ACT TO AUTHORIZE COOPERATIVE BANKS AND BUILDING AND LOAN ASSOCIATIONS TO SECURE LOANS BY LIFE INSURANCE POLICIES AND BY APPROVED STOCKS, BONDS, AND NOTES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**98:1 Authorized Loans.** Amend RSA 393 by inserting after section 15-a (supp) as inserted by 1955, 140:1 and as amended by 1957, 194:1 a new section as follows: **393:15-b Other Loans.** A building and loan association or cooperative bank or savings and loan association may loan its funds as follows:

I. In loans secured by the policy of a life insurance company with a cash surrender value, provided that such securities shall have at all times a market or cash value of at least ten per cent in excess of the loan.

II. In loans secured by securities which are dealt in on the New York Stock Exchange, the American Stock Exchange or the Boston Stock Exchange or loans secured by other securities which are legal investments in this state, provided that the market price of said securities shall at all times be at least twenty per cent in excess of the amount due upon the loans while held by the bank, the aggregate amount of all such loans shall at no time exceed ten per cent of a loan association's or cooperative bank's share capital.

III. In notes which are guaranteed as to payment of at least eighty per cent of their outstanding principal from time to time by the New Hampshire Higher Education Assistance Foundation.

**98:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 9, 1967.]

[Effective date July 8, 1967.]

**CHAPTER 99.**

## AN ACT RELATIVE TO ASSOCIATIONS FOR RURAL ELECTRIFICATION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**99:1 Rural Electrification.** Amend paragraph I of RSA 301:53 by striking out the words "not in excess of ten per cent of the number of its members" in line four, so that said paragraph as amended shall read as follows: I. To generate, manufacture, purchase, acquire, accumulate, and transmit electric energy, and to distribute, sell, supply and dispose of electric energy to its members, to governmental agencies and political subdivisions, and to other persons, but no person shall become a member unless such person shall agree to use electric energy furnished by the cooperative when such electric energy shall be available through its facilities, and membership shall cease if such person shall fail or refuse to use electric energy made available by the cooperative or if electric energy shall not be made available by the cooperative within a specified time after such person shall have become a member; provided, however, that such service shall be rendered only to persons residing on premises not receiving central station service on June 16, 1939, and to such other persons as the public service commission may find upon petition and after notice and hearing, that it is in the public interest that such association should render such service; and provided, further, that the provisions of section 7 with respect to qualifications of members shall not apply to members of a cooperative association organized under this paragraph.

**99:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 9, 1967.]

[Effective date July 8, 1967.]

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**CHAPTER 100.**

## AN ACT RELATIVE TO JURY SERVICE FOR WOMEN.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**100:1 Jurors.** Amend RSA 500:1 by striking out said section and inserting in place thereof the following: **500:1 Town Lists.** The selectmen of each town shall annually in December, make a list of such men and women as they judge best qualified to serve as jurors; and the list shall be kept by them and delivered to their successors in office. Provided, however, that any woman who has care of one or more children under the age of twelve years shall, if she so desires, be exempt from jury duty.

**100:2 Effective Date.** This act shall take effect September 1, 1967.

[Approved May 9, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 101.

AN ACT PROVIDING THAT BY AGREEMENT EXAMINATION OF A BANKING  
INSTITUTION MAY BE MADE BY THE BANK COMMISSIONER.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**101:1 Examination of Banks.** Amend RSA 386 by inserting after  
section 36 the following new section:

**386:36-a** In lieu of the examination by trustees or directors, as provided by section 35, or the examination by a certified public accountant, as provided by section 36, the institution may enter into an arrangement with the bank commissioner, approved by the directors by duly recorded vote and by the commissioner in writing, under which the commissioner shall make one examination each year of the affairs of the institution. The expense of such examination shall be chargeable to and paid by the institution. The procedure for such payment shall be the same as for payments by institutions for cost of examinations under RSA 383:11. Any such arrangement may be terminated by either party upon at least thirty days' notice in writing.

**101:2 Collection of Cost of Examinations.** Amend RSA 383:11 as amended by 1959, 268:1 and 269:1, 2; 1961, 224:3, 225:3; 1963, 198:1, 2, 199:2; 1965, 239:4, 282:4 by striking out the same and inserting in place thereof the following:

**383:11 Payment of Cost of Examination.** The bank commissioner, shall, each fiscal year, charge and collect from the institutions, the condition and management of which he is required to examine under the provisions of section 9, as the total cost of such examinations, a sum equal to the difference between the total amount appropriated for the bank commissioner's department and the amount therein appropriated for the salary of the commissioner. Said sum shall be collected as follows:

I. From each such institution examined a sum equal to the product of the average daily rate of pay of all examining personnel employed in making examinations pursuant to the provisions of section 9, multiplied by the number of man days devoted to the examination of the particular institution, provided, however, that no such institution shall be charged or pay for less than one full day.

II. The balance of said sum remaining after the charges provided for in paragraph I have been deducted from the total sum shall be charged

and collected as follows: each institution required to be examined under the provisions of section 9 shall be charged and pay such proportion of said balance as its assets bear to the total assets of all such institutions as shown by their reports to the commissioner as of the thirtieth day of June preceding such charges.

III. Payments of the charges provided for by paragraphs I and II shall be made within thirty days of receipt of the notice thereof.

IV. Any excess collected in any fiscal year under the provisions of this section shall be used to reduce the sum required to be collected in the next succeeding fiscal year.

**101:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

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## CHAPTER 102.

### AN ACT RELATIVE TO VOLUNTARY CORPORATIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**102:1 Corporations Organized for Care of Roads and Streets.** Amend paragraph VI of RSA 292:1 by striking out said paragraph and inserting in place thereof the following: VI. The provision and care of walks, parks, commons, roads and streets.

**102:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

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## CHAPTER 103.

### AN ACT DIRECTING A STUDY OF EMERGENCY COMMUNICATION DEVICES ALONG CERTAIN HIGHWAYS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**103:1 Certain Highways.** The commissioner of public works and highways is hereby directed during the coming biennial period to make a study of emergency communications for New Hampshire's expressway system which includes both the interstate and defense highway and toll road systems. The commissioner is further directed in preparing such a

study to draw upon the results of national research organizations as well as the results of research conducted by other and larger states. He shall supplement this information through studies made by his own staff, supplemented by consultants if and as in his opinion required.

**103:2 Emergency Communication Systems.** The commissioner of public works and highways, in studying a system of emergency communications, is directed to establish a highway safety patrol on a section of expressway approximately twenty-five miles in length, with this patrol to provide a twenty-four hour a day operation for a period of at least six months. The patrol, in addition to providing assistance to distressed motorists, is to develop records associated with the need for and character of the emergency services required.

**103:3 Report of Investigations.** Upon completion of such a study, he shall file copies of his report thereof with the secretary of state not later than January 1, 1969. Said report shall contain the results of the investigations described herein together with the recommendations of the commissioner to the general court.

**103:4 Effective Date.** This act shall take effect upon its passage.

[Approved May 11, 1967.]

[Effective date May 11, 1967.]

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## CHAPTER 104.

AN ACT TO MAKE IT UNLAWFUL TO USE TELEPHONE FACILITIES TO ABUSE  
OR ANNOY OTHERS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**104:1 Malicious Injury.** Amend RSA 572 by inserting after section 38-a (supp) as inserted by 1955, 235:1 and amended by 1957, 31:1, the following new section: **572:38-b Abusing or Obscene Telephone Calls.**

**I.** It is unlawful for any person to make use of telephone equipment:

(a) For an anonymous call if in a manner reasonably to be expected to annoy, abuse, torment, harass, disturb the peace or right of privacy of, or embarrass another person, whether or not conversation follows; or

(b) For repeated calls, if made with the intent to annoy, abuse, torment, harass, disturb the peace or right of privacy of, or embarrass another person; whether or not conversation follows; or

(c) To make any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, or indecent to another person;

(d) To threaten to inflict injury or physical harm to the person or property of another; or

(e) With the intent to terrify or intimidate or threaten another person.

II. Any offense committed by the use of a telephone as set forth in this section may be deemed to have been committed either at the place where the telephone call originated or at the place where the telephone call was received.

III. The use of obscene, lewd, lascivious, or indecent language as made unlawful by paragraph I of this section is prima facie evidence of intent to annoy, abuse, torment, harass, disturb the peace or right of privacy of or to embarrass, or to terrify or intimidate or threaten another person.

IV. Any person violating any of the provisions of this section is guilty of a misdemeanor, and upon conviction, is subject to a fine of not more than two hundred dollars or to imprisonment for not more than six months, or both, in the discretion of the court, provided that if the telephone that is receiving the call is used as an emergency telephone to receive calls for police, medical or ambulance aid, for giving or receiving a fire alarm, or for civil defense use, the person found guilty may be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both.

**104:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

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## CHAPTER 105.

AN ACT RELATIVE TO DISPOSITION OF MUNICIPAL RECORDS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**105:1 New Chapter.** Amend RSA by inserting after chapter 33 the following new chapter:

### Chapter 33-A

#### Disposition of Municipal Records

**33-A:1 Definition of Terms.** As used in this chapter the following words shall be construed as follows:

I. "Municipal" shall mean a city or town.



II. "Municipal officers" shall mean the board of selectmen in the case of a town or the mayor or city manager in case of a city.

III. "Legislative body" shall mean the town meeting in the case of a town or the city councils in the case of a city.

**33-A:2 Authority Granted.** The legislative body of a municipality may vote to authorize the disposition of municipal records in accordance with the provisions of this chapter. Authority for such disposition once given shall be deemed to be continuing.

**33-A:3 Committee.** The municipal officers, in a municipality adopting the provisions of this chapter, together with the clerk and the treasurer of the municipality shall constitute a committee to review old records of the municipality and to carry out the disposition thereof in accordance with the provisions hereof. When records are so disposed of said committee shall file a certificate with the clerk stating the type of record, number of records, method of disposition and the date of such disposition.

**33-A:4 Disposition Schedule.** The following records may be disposed of under the following schedule:

	Statutory Period of Retention	Disposition
<b>I. Officer and Treasurer</b>		
(a) Ledger and journal entry records	7 years	Microfilm
(b) Checks and bills	6 years	Destroy
(c) Vouchers and treasurer's receipts	6 years	Destroy
(d) Treasurer's warrants	6 years	Destroy
(e) Bank deposit slips and statements	6 years	Destroy
(f) Payrolls	6 years	Destroy
(g) Note, bond and coupon register	Permanent	Microfilm
(h) Cancelled notes, bonds and coupons	Until audit	Destroy
(i) Insurance policies and bonds	6 years (after expiration)	Destroy
(j) Annual audit report	10 years	Destroy
(k) Minutes of selectmen's meetings	10 years	Microfilm
(l) Zoning board of appeal decisions	10 years	Destroy
(m) Building permits and applications	5 years	Destroy
(n) Trust fund book	Permanent	Microfilm
(o) Street acceptances	Permanent	Microfilm
<b>II. Tax Collectors</b>		
(a) Property, poll and state head tax warrant book	20 years	Microfilm
(b) Cash book or sheets	6 years	Destroy
(c) Notice of sale of real estate	10 years	Microfilm
(d) Tax sales and redemption book	20 years	Microfilm
(e) Report of tax sales redeemed	6 years	Destroy
(f) Registered or certified receipts of notices to property owner and mortgage of tax sale including subsequent tax payment	10 years	Microfilm

(g) Collector's deed for property purchased by town	Permanent	Microfilm
(h) Tax deed record — card	20 years	Microfilm
Property bought by town		
(i) Special assessments	20 years	Microfilm
(j) Bills — property tax, head and poll tax, special assessment, water and miscellaneous receipts	6 years	Destroy

### III. Assessors

(a) Invoice (inventory) of taxable property	20 years	Microfilm
(b) Abatement record . . . . .	20 years	Microfilm
(c) Individual inventory of taxable property	2 years	Destroy
(d) Application for service exemption	2 years	Destroy
(e) Property record cards	Until Superseded	Destroy

### IV. Town or City Clerk

(a) Town meeting and city council records	Permanent	Microfilm
(b) Minutes of boards and committees	20 years	Microfilm
(c) Security titles for personal property: chattel mortgages, conditional sales, etc.	12 years	Destroy
(d) Licenses	3 years	Destroy
(e) Oath of office book	20 years	Microfilm
(f) Annual town report	Permanent	Permanent
(g) Cash book	20 years	Microfilm
(h) Motor vehicle permits	6 years	Destroy
(i) Births, marriages and deaths — vital statistics	Permanent	Microfilm
(j) Maps, street and municipal building plans and deeds	Permanent	Microfilm
(k) Check list	3 years	Destroy Non-presidential Elections
(l) Burial permits	6 years	Destroy
(m) Invoice (inventory) of taxable property	Permanent	Microfilm

**33-A:5 Microfilming.** Records disposed of by microfilming shall be accomplished by the production of two films, one to be retained by the municipality in a fireproof container and properly labeled, the other to be certified to a suitable location for permanent storage. Records which have been microfilmed may be retained or destroyed as the municipal officers shall determine.

**33-A:6 Exception.** Notwithstanding any other provision hereof, original town meeting and city council records shall not be disposed of but shall be permanently preserved. Such records prior to 1900 need not be microfilmed unless legible.

**105:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

**CHAPTER 106.**

## AN ACT DEFINING THE WORD "SPENDTHRIFT."

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**106:1 Statutory Construction.** Amend RSA 21:19 by striking out said section and inserting in place thereof the following: **21:19 Spendthrift.** The word "spendthrift" shall include anyone who is liable to be put under guardianship on account of excessive drinking, gaming, idleness, debauchery or vicious habits of any kind, or who is unable to manage his affairs with prudence.

**106:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

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**CHAPTER 107.**

## AN ACT RELATIVE TO DESTRUCTION OF SUPERIOR COURT RECORDS IN CERTAIN CASES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**107:1 Superior Court.** Amend RSA 499 by inserting after section 4 the following new section: **499:4-a Destruction of Records.** When the superior court, acting as a body, determines that the preservation of the original files, papers and records in cases finally disposed of, which have been placed on microfilm or otherwise reproduced, is no longer required for the public good they may be destroyed or it may, in its discretion, give any of them to any public historical society or corporation organized for the preservation of historical documents.

**107:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

**CHAPTER 108.**

AN ACT RELATING TO ACCEPTING CERTIFICATES FROM INSURANCE COMPANIES NOT AUTHORIZED TO DO BUSINESS IN NEW HAMPSHIRE UNDER THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY LAW.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**108:1 Redefining the term "Certificate" to Include Certain Insurance Companies.** Amend paragraph VI of RSA 268:1 by striking out said paragraph and inserting in place thereof the following: VI. "Certificate," the certificate of an insurance company authorized to transact the business specified in chapter 412 RSA or of an insurance company or surety company not authorized to do business in this state if such company possesses capital and assets to the extent and of the quality required under the provisions of RSA 405:2 or 4, as determined by the insurance commissioner of this state, that it has issued to or for the benefit of the defendant a motor vehicle liability policy as hereinafter defined covering the use of the motor vehicle, trailer, or semi-trailer involved in the accident as a result of which the action at law to recover damages referred to in section 5 was commenced as respects such accidents.

**108:2 Insurance Policies Issued by Certain Insurance Companies Acceptable.** Amend paragraph VI of RSA 268:5 as amended by 1955, 94:3 by striking out in lines three, four, five, six, seven and eight the words "except that if such motor vehicle was not registered in this state, or was a motor vehicle which was registered elsewhere than in this state at the effective date of the policy or the most recent renewal thereof, such policy may be accepted from an insurance company or surety company not authorized to do business in this state if it shall be approved by the insurance commissioner of this state and" and by inserting in place thereof the following (except that such policy may be accepted from an insurance company or surety company not authorized to do business in this state if such company possesses capital and assets to the extent and of the quality required under the provisions of RSA 405:2 or 4, as determined by the insurance commissioner of this state and such company) so that said paragraph as amended shall read as follows: VI. No such policy shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this state, except that such policy may be accepted from an insurance company or surety company not authorized to do business in this state if such company possesses capital and assets to the extent and of the quality required under the provisions of RSA 405:2 or 4, as determined by the insurance commissioner of this state and such company shall execute a power of attorney authorizing the director of the division of motor vehicles to accept service on its behalf of notice or process in any action involving such policy arising

out of such accident; provided, however, every such policy shall provide the same degree of security as required by this chapter.

**108:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

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## CHAPTER 109.

### AN ACT RELATING TO SIGNATURES ON NOTES OF BANKS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**109:1 Signatures.** Amend RSA 384:16 by striking out said section and inserting in place thereof the following: **384:16 Borrowing.** No savings bank, state bank, or trust company shall hire money or give the note of such institution except by vote of the trustees or directors thereof, duly recorded; and all such notes shall be signed by the officer or officers designated in said vote and shall be countersigned by two member of the board of trustees or directors. And for the purpose of securing such loan or loans, said bank or company may pledge, as security therefor, real estate mortgages, notes, stocks, or other securities.

**109:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

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## CHAPTER 110.

### AN ACT RELATING TO THE TAXATION OF TRANSFERS OF CERTAIN ESTATES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**110:1 Estate Tax.** Amend RSA 87:1 (supp) as amended by 1955, 72:1, by inserting after the words "exclusive of" in line twenty-four the words (estate taxes based upon the difference between such credit and other) so the section as amended will read as follows: **87:1 Tax Imposed.** In addition to the taxes imposed by chapter 86 an estate tax is hereby imposed upon the transfer of all estates which are subject to an estate tax under the provisions of the United States internal revenue code and amendments thereto where the decedent at the time of his death was domiciled in this state. The amount of said New Hampshire estate tax shall be equal to the extent, if any, of the excess of the credit allowable under said United States internal revenue code over the aggregate amount of all estate, inheritance, transfer, legacy and succession taxes paid to

any state or territory or the District of Columbia in respect to any property in the estate of said decedent. Provided that such estate tax hereby imposed shall in no case exceed the extent to which its payment will effect a saving or diminution in the amount of the United States estate tax payable by or out of the estate of the decedent had this chapter not been enacted. The tax hereby imposed shall be for the use of the state. Furthermore an estate tax is hereby imposed upon the transfer of real property and tangible personal property in this state of every person who at the time of his death was a resident of the United States but not domiciled in this state, and upon the transfer of all property, real and personal, within this state of every person who at the time of his death was not a resident of the United States, the amount of which shall be a sum equal to such proportion of the amount by which the credit allowable under the applicable United States revenue act for estate, transfer, legacy, succession and inheritance taxes actually paid to several states exceeds the amount actually paid for such taxes exclusive of estate taxes based upon the difference between such credit and other estate, transfer, legacy, succession and inheritance taxes, as the value of the property in this state bears to the value of the entire estate subject to an estate tax under the provisions of the United States internal revenue code.

**110:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

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## CHAPTER 111.

### AN ACT RELATIVE TO THE BUSINESS DAY OF TAX COLLECTOR AND CONTENTS OF ANNUAL REPORTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**111:1 Tax Collector; Business Hours.** Amend RSA 41:35 (supp) as amended by 1965, 27:1 by striking out said section and inserting in place thereof the following: **41:35 Duties of Collector.** Every collector of taxes shall keep in suitable books a fair and correct account in detail of the taxes due, collected, and abated, and of all property sold for nonpayment of taxes, which books shall be public records. He shall on or before the tenth day of the following month pay over to the town treasurer all money collected by him in the preceding month and make final payment to the town treasurer of all moneys collected by him on or before December thirty-first or as soon as possible after that date. He shall submit his tax books and lists to the treasurer and selectmen for inspection and computation when requested so to do and if they discover any errors therein they shall immediately notify the town auditors thereof; and the auditors

shall promptly examine the collector's records and make a written report to the selectmen and state tax commission of their findings, conclusions, and recommendations. The collector shall be at the town hall or other place where the selectmen customarily meet at least one day each month for at least two hours for the transaction of tax business, which time and place shall be printed upon the tax bills sent out by the collector. He shall make a written report to the town at the end of each fiscal year which shall contain the amount of the taxes committed to him to collect; the amount of taxes collected, together with interest thereon; the amount of discounts allowed; the amount of taxes abated; the total amount of uncollected taxes; and an account of all sales of real estate by him to collect taxes. Upon written request therefor the collector shall provide the selectmen with an itemized list of the uncollected taxes at the end of the fiscal year.

**111:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

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## CHAPTER 112.

AN ACT AMENDING THE HAZARDOUS SUBSTANCE LAW TO INCLUDE HAZARDOUS TOYS AND ARTICLES INTENDED FOR CHILDREN.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**112:1 Prohibited Acts.** Amend paragraphs I, II and VII of RSA 339-A:1 as inserted by 1965, 77:1 by striking out said paragraphs and inserting in place thereof the following:

I. The manufacture, sale or delivery, holding or offering for sale of any misbranded hazardous substance.

II. The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the label of, or the doing of any other act with respect to, a hazardous substance, if such act is done while such substance is held for sale, and results in such substance being a misbranded hazardous substance.

VII. The delivery or proffered delivery for pay or otherwise, of a hazardous substance in a reused food, drug or cosmetic container or in a container which, though not a reused container, is identifiable as a food, drug, or cosmetic container by its labeling or by other identification. The reuse of a food, drug, or cosmetic container as a container for a hazardous substance shall be deemed to be an act which results in the hazardous substance being a misbranded hazardous substance. As used in

this paragraph the term “food,” “drug,” and “cosmetic” shall have the same meaning as defined in section 2, chapter 146, RSA.

**112:2 Terms Defined.** Amend subparagraph (c) of paragraph II of RSA 339-A:2 as inserted by 1965, 77:1 by striking out said subparagraph and inserting in place thereof the following: (c) any radioactive substance, if, with respect to such substance as used in a particular class of articles or as packaged, the director determines by regulation that the substance is sufficiently hazardous to require labeling in accordance with this chapter in order to protect the public health. Provided, however, that the term “hazardous substance” shall not apply to economic poisons subject to RSA 438, nor to products subject to RSA 153, nor to foods, drugs and cosmetics subject to RSA 146, nor to substances intended for use as fuels when stored in containers and used in the treating, cooking, or refrigeration systems of a house, but such term shall apply to any article which is not itself an economic poison within the meaning of RSA 438 but which is a hazardous substance within the meaning of this paragraph by reason of bearing or containing such an economic poison. This term shall not include any source material, special nuclear material, or by-product material, defined in RSA 125 by the United States Atomic Energy Act of 1954, as amended, and regulations issued pursuant thereto by the United States Atomic Energy Commission.

**112:3 Label.** Amend paragraph XI of RSA 339-A:2 as inserted by 1965, 77:1 by striking out said paragraph and inserting in place thereof the following: XI. The term “label” means a display of written, printed, or graphic matter upon the immediate container of any substance or, in the case of an article which is unpackaged or is not packaged in an immediate container intended or suitable for delivery to the ultimate consumer, a display of such matter directly upon the article involved or upon a tag or other suitable material affixed thereto.

**112:4 Misbranding.** Amend RSA 339-A:3 as inserted by 1965, 77:1 by striking out said section and inserting in place thereof the following: **339-A:3 Misbranded Package.** The term misbranded hazardous substance means a hazardous substance (including a toy, or other article intended for use by children, which is a hazardous substance, or which bears or contains a hazardous substance in such manner as to be susceptible of access by a child to whom such toy or other article is entrusted) intended, or packaged in a form suitable, for use in the household or by children, which substance, except as otherwise provided by or pursuant to section 5, fails to bear a label:

I. Which states conspicuously (a) the name and place of business of the manufacturer, packer, distributor or seller; (b) the common or usual name or the chemical name (if there be no common or usual name) of the hazardous substance or of each component which contributes sub-



stantially to its hazard, unless the director by regulation permits or requires the use of a generic name; (c) the signal word "DANGER" on substances which are extremely flammable, corrosive, or highly toxic; (d) the signal word "WARNING" or "Caution" on all other hazardous substances; (e) an affirmative statement of the principle hazard or hazards, such as "Flammable," "Vapor Harmful," "Causes Burns," "Absorbed Through Skin," or similar wording description of the hazard; (f) precautionary measures describing the action to be followed or avoided, except when modified by regulation of the director pursuant to section 5; (g) instructions, when necessary or appropriate, for first aid treatment; (h) the word "poison" for any hazardous substance which is defined as "highly toxic" by subparagraph IV of section 2; (i) instructions for handling and storage of packages which require special care in handling or storage; and (j) the statement "keep out of reach of children" or its practical equivalent, or if the article is intended for use by children and is not a banned hazardous substance, adequate directions for the protection of children from the hazard.

II. On which any statements required under paragraph I of this section are located prominently and are in English language in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the label.

**112:5 Special Labeling.** Amend paragraph II of RSA 339-A:5 as inserted by 1965, 77:1 by striking out said paragraph and inserting in place thereof the following: II. The director may promulgate regulations declaring any substance or mixture of substances to be a hazardous substance which he finds meets the requirements of subparagraph (a) of paragraph II of section 2. He may promulgate regulations establishing such reasonable variations or additional label requirements as may be found necessary for the protection of the public health and safety, and any such hazardous substance intended, or packaged in a form suitable, for use in the household or by children, which fails to bear a label in accordance with such regulations shall be deemed to be a misbranded hazardous substance. The director shall adopt all regulations relating to hazardous substances promulgated under the Federal Act.

**112:6 Exemption.** Amend paragraph III of RSA 339-A:5 as inserted by 1965, 77:1 by striking out said paragraph and inserting in place thereof the following: III. If the director finds, that because of the size of the package involved or because of the minor hazard presented by the substance contained therein, or for other good and sufficient reasons, failure to comply with the labeling requirements otherwise applicable under this chapter is impracticable or is not necessary for the adequate protection of the public health and safety, the director may promulgate regulations exempting such substance from the requirements to the extent he determines to be consistent with adequate protection to the public health.

The director may exempt from the requirements established by or pursuant to this chapter any hazardous substance or any container of a hazardous substance with respect to which he finds that adequate requirements satisfying the purposes of this chapter have been established by or pursuant to any other state law or regulations, promulgated under such law.

**112:7 Embargo.** Amend RSA 339-A:6 as inserted by 1965, 77:1 by striking out said section and inserting in place thereof the following: **339-A:6 Authority to Embargo and Condemn.** Any misbranded hazardous substance found in violation of this chapter may be subject to embargo and condemnation in accord with the provisions of section 20, chapter 146, RSA.

**112:8 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 16, 1967.]

[Effective date July 15, 1967.]

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### CHAPTER 113.

AN ACT TRANSFERRING THE POSITION OF COORDINATOR OF FEDERAL FUNDS TO THE OFFICE OF THE GOVERNOR, AND ADVISING DEPARTMENTS, CITIES AND TOWNS ON AVAILABLE FEDERAL FUNDS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**113:1 Term and Transfer.** Amend RSA 4 by inserting after section 12 the following new section: **4:12-a Coordinator of Federal Funds.** The governor with the consent of the council shall appoint a coordinator of federal funds who shall hold office at the pleasure of the governor and council and until his successor is appointed and qualified; he shall be an unclassified employee and shall be qualified by education and experience. He shall (1) inform and advise the heads of all state departments, divisions, agencies and commissions and the legislative budget assistant concerning federal programs from which the state may be eligible to receive federal funds and concerning the application requirements which must be met in order to participate therein, (2) review all requests and agreements originating in any state department, division, agency and commission relating to participation in any federal program from which federal funds may be received, (3) receive accounts from all state departments, divisions, agencies and commissions setting forth the amounts of funds received each quarter from the federal government and the disposition and use of all such funds, (4) inform and advise, upon request, the representative of any city or town concerning federal programs from which the city or town may be eligible to receive federal funds and con-

cerning the application requirements which must be met in order to participate therein.

**113:2 Repeal.** So much of chapter 239 and 282 of the Laws of 1965 as establishes the office of coordinator of federal funds is hereby repealed.

**113:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved May 16, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 114.

AN ACT TO INCREASE THE ALLOWABLE LIMIT OF OUTSTANDING TEMPORARY NOTES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**114:1 Outstanding Borrowing.** Amend RSA 6:13 (supp), as amended by 1959, 63:1 and 1965, 188:1, by striking out the word "ten" in line seven and inserting in place thereof the word (fifteen) so that said section as amended shall read as follows: **6:13 Borrowing Money.** If money due from the state is demanded and there are not sufficient funds in the treasury available for the payment of the same, the treasurer under the direction of the governor and council is authorized to borrow on the state's credit for a period of not more than one year, at the lowest rate of interest obtainable, such sums as may be necessary, provided that at no time shall the indebtedness of the state pursuant to the authority granted by this section exceed the sum of fifteen million dollars.

**114:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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## CHAPTER 115.

AN ACT RELATIVE TO FILING FOR NOMINATIONS IN PRIMARY ELECTIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**115:1 Primary Elections.** Amend RSA 56 by inserting after section 28 the following new section: **56:28-a Incompatible Offices.** No person shall file declaration of candidacy or primary petitions for nomination at the primary for incompatible offices. For the purposes of this section incompatible offices shall include the offices of representative to the general court, state senator and councilor. If any person shall file for such

incompatible offices the secretary of state shall advise the person of the provisions hereof and said person shall then advise the secretary of state which of said offices he wishes to retain in order to seek said nomination. If a filing fee has been paid for a declaration of candidacy which he declines the fee shall be returned to him.

**115:2 Effective Date.** This act shall take effect January 1, 1968.

[Approved May 19, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 116.

AN ACT RELATING TO GIFTS OF PERSONAL PROPERTY TO THE STATE, TO BE  
USED RELATIVE TO HISTORIC SITES OR TECHNICAL INSTITUTES  
OR VOCATIONAL-TECHNICAL INSTITUTES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**116:1 Executive Order.** Amend RSA chapter 4 by inserting after section 8 the following new section: **4:8-a Gifts for Historic Sites and Technical Institutes or Vocational-Technical Institutes.** The governor and council may, by executive order authorize the department of resources and economic development to accept, for the state, gifts of personal property and money which are donated for use in connection with historic sites and the buildings or structures thereon, which are under the management of that department. Each such executive order shall relate to a particular site and may authorize the use of such personal property or the expenditure of such money, in accordance with the terms of the gift, under the supervision of such department. Such executive order, as originally made or later amended, may also authorize the sale or exchange of any such personal property found subsequently to be inappropriate for use, where not inconsistent with the terms of the gift, and application of the proceeds or items received in exchange for the purposes of the original gift. The department shall keep a permanent inventory or record of such gifts and the disposition thereof. The governor and council may, by executive order, delegate the same authority with reference to gifts to technical institutes or vocational-technical institutes authorizing the commissioner of education to make acceptance thereof, and all other provisions of this section shall apply thereto.

**116:2 Effective Date.** This act shall take effect upon its passage.

[Approved May 19, 1967.]

[Effective date May 19, 1967.]

**CHAPTER 117.****AN ACT RELATING TO PARTICIPATION IN REAL ESTATE MORTGAGES BY  
SAVINGS BANKS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**117:1 Certificates.** Amend subparagraph (c) of paragraph I of RSA 387:17 (supp) as amended by 1955, 214:11 by striking out said subparagraph and inserting in place thereof the following: (c) Participation Certificates. Each participating lender shall obtain and retain a participation certificate from the originating lender. Such participation certificate shall set forth the full amount of the loan, the name and extent of participation of each participating lender, the date and terms of amortization of the loan, and that the originating lender holds a note and mortgage duly executed by the borrowers for the full amount of the loan. In case of any change in the names or of the extent of the participation of participating lenders, the participation certificates shall be amended accordingly by issuance of a supplement to each participating lender.

**117:2 Federal Housing Administration Construction Loans.** Amend paragraph I of RSA 387:17 (supp) as amended by 1955, 214:11 by inserting at the end of said paragraph the following new subparagraph: (e) Federal Housing Administration Construction Mortgage Loans. In the case of construction mortgage loans insured by Federal Housing Administration, which otherwise are legal investments, savings banks may lawfully participate therein without requiring the participation agreement to include the provisions relating to foreclosure and purchase of a dissenting participant's interest, as set forth in (b) above.

**117:3 Participation of Other Institutions.** Amend RSA 387:17-a (supp) as inserted by 1963, 326:1 by striking out said section and inserting in place thereof the following: **387:17-a Other Institutions.** The Small Business Administration and other federally-chartered corporations which are agencies or instrumentalities of the United States, the Industrial Development Authority as an agency of the state, trustees of pension trusts and retirement funds, and credit unions shall be deemed qualified to be an originating lender or a participating lender, within the meaning of this chapter and the definitions contained in paragraphs XIII, XIV and XV of section 1 of this chapter, in participation with any of the kinds of institutions mentioned therein. Provided, however, that the authority granted by this section shall be limited to participation in mortgage loans authorized by paragraphs I, III, IV and VI of section 4 of this chapter.

**117:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

**CHAPTER 118.**

AN ACT TO AUTHORIZE COOPERATIVE BANKS AND BUILDING AND LOAN ASSOCIATIONS TO INVEST EXCESS FUNDS IN OBLIGATIONS OF THE UNITED STATES AS DESIGNATED BY THE BANK COMMISSIONER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**118:1 Investment of Excess Funds.** Amend paragraph II of RSA 393:27 by striking out the paragraph and inserting in its place the following: II. In bonds, notes, debentures, or other securities or obligations issued by any Federal Home Loan Bank of the United States, or in obligations of agencies of the United States as are designated by written ruling of the bank commissioner.

**118:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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**CHAPTER 119.**

AN ACT TO ALLOW COOPERATIVE BANKS AND BUILDING AND LOAN ASSOCIATIONS TO HOLD WRITTEN INSTRUMENTS OR THINGS OF VALUE IN ESCROW.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**119:1 Retention of Documents.** Amend RSA 393 by inserting after section 58 (supp) as inserted by 1963, 313:5 the following new section:

**393:59 Escrow Powers.** Any cooperative bank or building and loan association or savings and loan association may hold in escrow any written instrument, money, evidence of title to real or personal property, or any other thing of value which may come into its possession in the course of its business.

**119:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

**CHAPTER 120.**

AN ACT TO AUTHORIZE COOPERATIVE BANKS OR BUILDING AND LOAN ASSOCIATIONS TO MAKE LOANS INSURED BY THE STATE OF NEW HAMPSHIRE  
IN EXCESS OF THE STATUTORY LIMITATION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**120:1 Investments.** Amend RSA 393:18 (supp) as amended by 1961, 136:4; 1963, 313:2; and 1965, 317:2 by striking out the section and inserting in its place the following: **393:18 Limitations on Amount of Real Estate Loans and Investments.** A cooperative bank or building and loan association or savings and loan association may loan its funds upon the security of a first lien on real estate provided that no more than thirty thousand dollars or more than one per cent of the assets of the association, whichever is greater, is loaned on any one property. Loans in excess of ten thousand dollars may not exceed ninety per cent of the appraised value of any one property and loans in excess of twenty thousand dollars may not exceed eighty per cent of the appraised value of any one property. These limitations shall not apply to loans insured or guaranteed by the Federal Housing Administration, the Veterans Administration, or the State of New Hampshire. Notwithstanding the foregoing limitations of this section an association may make a loan in connection with the sale of real estate acquired by the association for the purpose of providing offices for the transaction of the business of the association, or acquired under a foreclosure or a deed in lieu of foreclosure, in an amount not to exceed the sale price the association receives from such real estate.

**120:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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**CHAPTER 121.**

AN ACT INCREASING THE MINIMUM COST RELATIVE TO BUILDINGS ABOVE WHICH REGISTERED ARCHITECTS AND ENGINEERS MUST BE EMPLOYED.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**121:1 Public Works Contracts.** Amend paragraph I of RSA 228:4 by striking out the figure "\$25,000" in line fifteen and inserting in place thereof the figure (\$75,000) so that said paragraph as amended shall read as follows: I. It is hereby declared to be the policy of the state that major state projects, except normal highway and bridge maintenance and betterments, state aided town roads and bridges, and state aid road and state aid

bridge projects, where federal funds are not involved; maintenance and betterments on fixed plants or buildings, the estimated cost of which is \$5,000 or less; and such projects, with the approval of the governor and council, as may be executed under chapter 481, RSA, when financed either (a) by the use of not exceeding \$5,000 appropriated by the legislature, and (b) by use of funds obtained through the sale of revenue bonds or by use of funds obtained from a source other than an appropriation by the legislature or by both (a) and (b), shall be built by the contract method under competitive bidding, and that independent registered professional architects or registered professional engineers shall be employed for the construction, maintenance and betterments on fixed plants or buildings whose cost exceed \$75,000. It is further declared to be the policy of the state that all awards under such competitive bidding shall be to the lowest responsible bidder. It is further declared to be the policy of the state that state contract construction shall not be performed on the basis of a cost-plus contract, so-called. Projects not in excess of \$10,000 may be done on a force account basis upon the recommendation of the commissioner with the approval of the governor and council and it is further provided, that in an emergency, such sum may be exceeded upon the recommendation of the commissioner with the approval of the governor and council.

**121:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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## CHAPTER 122.

### AN ACT PROVIDING FOR HEARINGS ON APPEALS BY APPLICANTS FOR AND RECIPIENTS OF MEDICAL ASSISTANCE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**122:1 Hearings to Include Medical Assistance.** Amend RSA 126-A:9-a (supp), as inserted by 1965, 352:5, by inserting in line six after the word "assistance" the words (including medical assistance) so that said section as amended shall read as follows: **126-A:9-a Board of Appeals.** From within its membership the advisory commission shall appoint three members to act as a board of appeals. The term of office of such members of such board of appeals shall be co-extensive with his term as a member of the commission. It shall be the duty of the board of appeals to conduct fair hearings on appeals by applicants for and recipients of public assistance including medical assistance. When a member of the advisory commission is appointed to act as a member of the board of appeals he shall



be paid twenty dollars a day for each day he is engaged in official duties as a member of said board of appeals. He shall also be entitled to reimbursement for expenses, including mileage. Payment for such per diem and expenses for the board of appeals shall be a charge upon the appropriation for the department of health and welfare.

**122:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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## CHAPTER 123.

AN ACT RELATIVE TO INSURANCE ON RISKS LOCATED OUTSIDE THE STATE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**123:1 Commission on Out-of-State Coverage to Nonresident Agent.** Amend RSA 8:19 IX (supp), as amended by 1957, 270:1, by inserting after the word "state" in line 9 the words (with the exception of any risk located outside the state,) so that said paragraph as amended shall read as follows: IX. After consultation with, and approval by, the board of approval as established by RSA 93:2, purchase liability insurance under a fleet policy covering the operation of state owned vehicles, and such other insurance and surety bonds as any state department, agency or official may now or hereafter be legally authorized to secure, or required to furnish; provided that approval shall not be granted for any such insurance or surety bonds unless the same have been negotiated for, are procured from and the premium therefor is to be paid to a resident agent of an insurance company registered and licensed to do business in this state. With the exception of any risk located outside the state no such insurance company or resident agent, personally or by another, shall allow, give or pay, directly or indirectly, to any nonresident agent or nonresident broker any part of the commission on the sale of such insurance or surety bonds. The insurance commissioner may suspend or revoke the license of any resident agent or insurance company violating the provisions hereof.

**123:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

**CHAPTER 124.****AN ACT AUTHORIZING VOLUNTARY ADMISSION TO THE LACONIA STATE SCHOOL.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**124:1 Voluntary Admissions Authorized.** Amend RSA 171 as amended by 1955, 314:1 by inserting after section 18 the following new section: **171:18-a Voluntary Commitment.** Pursuant to rules and regulations established by the director of the division of mental health, the Laconia state school may receive and detain therein as a patient any mentally deficient person, who voluntarily makes written application therefor on a form prescribed by the director, or if such person be under twenty-one years of age such written application shall be made by the parent or legal guardian or person standing in loco parentis of such person. Any such person so received and detained at the Laconia state school shall be subject to all of the remaining provisions of this chapter and any other statutes applicable thereof. Nothing contained herein shall relieve any person legally chargeable from payment for care and custody of any such person.

**124:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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**CHAPTER 125.****AN ACT PROVIDING FOR WAIVING OF WRITTEN EXAMINATION FOR LICENSE AS INSURANCE AGENT IN CERTAIN CASES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**125:1 Insurance Agents.** Amend RSA 402 by inserting after section 18 a new section as follows: **402:18-a Chartered Underwriters.** Upon filing the notice in writing required under sections 16 and 17 of this chapter, and upon payment of the fee required under section 24 of this chapter, and if the commissioner is satisfied that the applicant is a suitable person and intends to hold himself out in good faith as an insurance agent, the commissioner may waive the written examination required for an applicant for a license under section 16 of this chapter upon whom has been conferred the Chartered Property Casualty Underwriter (C.P.C.U.) designation by The American Institute for Property and Liability Underwriters, Inc., and who is a member, in good standing, of The Society of Chartered Property and Casualty Underwriters, or upon whom

has been conferred the Chartered Life Underwriters (C.L.U.) designation by The American College of Life Underwriters and who is a member, in good standing, of The American Society of Chartered Life Underwriters.

**125:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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## CHAPTER 126.

### AN ACT PROVIDING FOR APPOINTMENT OF SUPERVISORS PRO TEM.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**126:1 Supervisors of the Check-List.** Amend RSA 55 by inserting after section 4 (supp) as amended by 1965, 358:3, the following new section: **55:4-a Pro Tem.** If more than one member of the board of supervisors shall be absent from any election the moderator may appoint a supervisor pro tempore who shall be sworn and shall perform the duties of supervisor only for the particular election for which he is appointed.

**126:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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## CHAPTER 127.

### AN ACT RELATIVE TO VALUE OF SHARES OF COOPERATIVE BANKS AND BUILDING AND LOAN ASSOCIATIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**127:1 Cooperative Banks and Building and Loan Associations.** Amend RSA 393:7 by striking out the section and inserting in its place the following: **393:7 Value of Serial Shares.** Serial shares shall be divided into shares of an ultimate value of one hundred dollars or multiple thereof. However, the ultimate value of the serial shares pledged in amount to repay the loan upon maturity shall not exceed a multiple that would extend the term of the loan in excess of thirty years. Such shares may be issued in quarterly, half-yearly, or yearly series, each series to consist of such number of shares as the directors may determine, but no shares of a prior series shall be issued until said series shall have been five years in force.

**127:2 Dues.** Amend RSA 393:14 by striking out the section and inserting in its place the following: **393:14 Dues.** Any such corporation may collect of its installment shareholders monthly dues of one dollar upon each share held by them, until the ultimate value of shares reaches an amount determined by the board of directors under section 7 of this chapter, or until they are withdrawn, cancelled, or forfeited.

**127:3 Loans.** Amend RSA 393:17 by striking out the section and inserting in its place the following: **393:17 — Reduction of.** With the approval of the board of directors, any shares pledged for a real estate loan may, at the request of the owner thereof, be cancelled whereupon there shall be endorsed on the mortgage note as a credit upon the amount of the loan the full value of such shares, less all monthly installments of interest, fines, and premium in arrears, unpaid taxes, and an amount not in excess of three hundred dollars to be expended for repairs, at the option of the directors, any other legal charges and such sum as will leave the amount of the loan a multiple of fifty dollars. Such cancellation and credit may be made even if the amount of the loan will not thereby be reduced as to principal. Thereupon new shares in the current series shall be issued to the shareholder in the proportion of one share to each one hundred dollars or multiple thereof of the loan then remaining unpaid. The new shares issued shall be transferred and pledged to the association as security for the amount of the loan remaining unpaid, and the fact thereof shall be endorsed upon or attached to the note in the following form:

, 19.....

The value of the shares here pledged, less deductions authorized by RSA 393:17, amounting to \$..... has this day been applied as a credit upon this note, leaving a balance due and unpaid of \$..... to secure which ..... shares of series ..... have been issued, and are hereby transferred and pledged.

For value received, I or we promise to pay to said corporation or its order ..... dollars at or before its monthly meeting on the ..... of each month hereafter, being the amount of the monthly dues on the shares hereby substituted, and of the monthly interest and premium upon said balance of \$....., together with all fines chargeable by the by-laws of said corporation upon arrears of such payments until said substituted shares shall reach maturity, or otherwise sooner pay to said corporation or its order the said balance of \$....., with interest, fines, and premium as aforesaid.

Witness,

(Signature)

Approved

## Treasurer

Neither the note evidencing the loan nor the mortgage securing the same shall be prejudiced by the application of the value and the change of shares, notwithstanding the fact that a provision for such application and change was not originally made in the note or mortgage, and both note and mortgage shall continue to be held by the association as good and sufficient security for the balance remaining unpaid. After the application of the value as a credit, the amount of the loan shall forthwith be reduced to an equal extent, and the owner shall thereafter be liable for only the reduced amount and any arrearages or penalties occasioned by his own default. No action under this section shall affect the rights of the holder, other than the corporation granting the accommodation, of any mortgage recorded prior to May first, 1937, unless the written assent of such holder shall be obtained, nor shall any such action affect the rights of an original borrower whose note is dated prior to said date, unless his written assent shall be obtained.

**127:4 Paid-up Shares.** Amend RSA 393:35 (supp) as amended by 1965, 317:6 by striking out the section and inserting in its place the following: **393:35 Issue.** Associations may issue paid-up shares in denominations of one hundred dollars or multiples thereof.

**127:5 Value Changed.** Amend RSA 393:40 (supp) as amended by 1955, 139:4 by striking out the section and inserting in its place the following: **393:40 Single-Payment Shares, Authority to Issue; Value; Rights.** Such associations may issue single-payment shares of an ultimate value of one hundred dollars or multiples thereof. Such single-payment shares shall be issued for the consideration of the initial payment only and no further payment shall be accepted on account thereof. Profits and dividends accruing thereon shall be added to the initial payment until the value of each share reaches one hundred dollars or a multiple thereof, and it shall be paid to the shareholder and the share shall be retired or a paid-up share issued therefore under section 35 of this chapter. A holder of a single share shall have a right of withdrawal prescribed by sections 30 and 32 of this chapter subject to the limitations therein set forth but such withdrawal must be exercised as to the whole of the value of the share at the time of withdrawal. Single-payment shares may be paid off at any time at the option of the board of directors provided thirty days' notice of the payment date shall have been given to the holder. The said notice may not be waived.

**127:6 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

**CHAPTER 128.****AN ACT TO EXEMPT PERSONS FROM CIVIL LIABILITY WHEN GIVING  
EMERGENCY CARE.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**128:1 Limitation of Actions.** Amend RSA 508 by adding a new section at the end of the chapter as follows: **508:12 Emergency Care.** If a person in good faith renders emergency care at the place of the happening of an emergency, without receiving any compensation for the care, to a person who is in urgent need of care as a result of the emergency, and if the acts of care are made in good faith and without willful or wanton negligence, the person who renders the care is not liable in civil damages for his acts or omissions in rendering the care, and provided further that any person rendering emergency care shall have the duty to place the injured person under the care of a physician, nurse, ambulance driver, or other person qualified to care for such person as soon as possible and to obey the instructions of such qualified person.

**128:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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**CHAPTER 129.****AN ACT RELATIVE TO LICENSE FEES AND QUALIFICATIONS OF CHIROPRACTORS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**129:1 Fees and Qualifications for Initial License.** Amend RSA 316:9 by striking out in line two the word "twenty-five" and inserting in place thereof the word (thirty-five); further amend said section by striking out in line nine the words "three years of six months each" and inserting in place thereof the following (four thousand hours) so that said section as amended shall read as follows: **316:9 Fees; Qualifications.** Each applicant shall pay to the secretary-treasurer a fee of thirty-five dollars, for which he shall be entitled to an examination and to a re-examination, if necessary, within one year. He shall submit to said board satisfactory evidence of a high school education, or its equivalent, shall be at least twenty-one years of age, of good moral character, a citizen of the United States or a Canadian province in which a like privilege is granted to citizens of the United States, and a graduate of a legally chartered or incorporated school or college of chiropractic requiring a course of four thousand hours, or its equivalent, as a resident student therein.

**129:2 Number of Classroom Hours.** Amend RSA 316:10 by striking out said section and inserting in place thereof the following: **316:10 Further Requirements.** Notwithstanding educational requirements of the provisions of section 9, any applicant for license to practice chiropractic who matriculated in a chiropractic school or college between January 1, 1951, and January 1, 1968 shall be a graduate of a legally chartered or incorporated school of chiropractic requiring for graduation completion of a course of study of not less than thirty-six hundred classroom hours in four academic years; any applicant for license to practice chiropractic who matriculated in a chiropractic school or college after January 1, 1968, shall be a graduate of a legally chartered or incorporated school of chiropractic requiring for graduation completion of a course of study of not less than four thousand classroom hours in four academic years.

**129:3 Fee for Reciprocal Licenses.** Amend RSA 316:15 by striking out in line five the word "fifty" and inserting in place thereof the word (seventy-five) so that said section as amended shall read as follows: **316:15 Applicants From Other States.** The board may register and license any applicant who is legally qualified to practice chiropractic in any other state, the requirements of which state as to registration and license are equivalent to those in this state. Such applicant shall pay a fee of seventy-five dollars.

**129:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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## CHAPTER 130.

AN ACT RELATIVE TO FEES FOR RECORDING BUSINESS CORPORATIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**130:1 Business Corporations.** Amend RSA 294:113 as amended by 1955, 171:3 by striking out said section and inserting in place thereof the following: **294:113 Fee for Record of Organization.** The fee for recording the record of organization required by section 15, including the issuing by the secretary of state of the certificate of incorporation shall be:

I. When the authorized capital stock does not exceed fifteen thousand dollars, thirty dollars.

II. When the authorized capital stock exceeds fifteen thousand dollars but does not exceed fifty thousand dollars, fifty dollars.

III. When the authorized capital stock exceeds fifty thousand dollars but does not exceed one hundred fifty thousand dollars, one hundred fifty dollars.

IV. When the authorized capital stock exceeds one hundred fifty thousand dollars but does not exceed two hundred fifty thousand dollars, two hundred dollars.

V. When the authorized capital stock exceeds two hundred fifty thousand dollars but does not exceed five hundred thousand dollars, four hundred dollars.

VI. When the authorized capital stock exceeds five hundred thousand dollars but does not exceed one million dollars, seven hundred fifty dollars.

VII. For each additional one hundred thousand dollars above one million dollars, fifty dollars.

**130:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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## CHAPTER 131.

### AN ACT RATIFYING THE NEW ENGLAND COMPACT ON RADIOLOGICAL HEALTH PROTECTION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**131:1 New Chapter.** Amend RSA by inserting after chapter 125-A, the following new chapter:

#### Chapter 125-B

#### New England Compact on Radiological Health Protection

**125-B:1 Compact Ratified.** The general court of this state hereby ratifies the following compact to become effective at such time as the legislative bodies of at least two eligible party jurisdictions also ratify it.

#### New England Compact on Radiological Health Protection

#### Article I.

#### Purposes

The purposes of this compact are to:

1. Promote the radiological health protection of the public and individuals within the party states.



2. Provide mutual aid and assistance in radiological health matters including, but not limited to, radiation incidents.

3. Encourage and facilitate the efficient use of personnel and equipment by furthering the orderly acquisition and sharing of resources useful for programs of radiation protection.

## **Article II.**

### **Enactment**

This compact shall become effective when enacted into law by any two or more of the states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. Thereafter it shall become effective with respect to any other aforementioned state upon its enacting this compact into law. Any state not mentioned in this article which is contiguous to any party state may become a party to this compact by enacting the same.

## **Article III.**

### **Duties of States**

A. It shall be the duty of each party state to formulate and put into effect an intrastate radiation incident plan which is compatible with the interstate radiation incident plan formulated pursuant to this compact.

B. Whenever the compact administrator of a party state requests aid from the compact administrator of any other party state pursuant to this compact, it shall be the duty of the requested state to render all possible aid to the requesting state which is consonant with the maintenance of protection of its own people. The compact administrator of a party state may delegate any or all of his authority to request aid or respond to requests for aid pursuant to this compact to one or more subordinates, in order that requests for aid and responses thereto shall not be impeded by reason of the absence or unavailability of the compact administrator. Any compact administrator making such a delegation shall inform all the other compact administrators thereof, and also shall inform them of the identity of the subordinate or subordinates to whom the delegation has been made.

C. Each party state shall maintain adequate radiation protection personnel and equipment to meet normal demands for radiation protection within its borders.

## **Article IV.**

### **Liability**

A. Whenever the officers or employees of any party state are rendering outside aid pursuant to the request of another party state under this

compact, the officers or employees of such state shall, under the direction of the authorities of the state to which they are rendering aid, have the same powers, duties, rights, privileges and immunities as comparable officers and employees of the state to which they are rendering aid.

B. No party state or its officers or employees rendering outside aid pursuant to this compact shall be liable on account of any act or omission on their part while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

C. All liability that may arise either under the laws of the requesting state or under the laws of the aiding state or under the laws of a third state, on account of or in connection with a request for aid, shall be assumed and borne by the requesting state.

D. Any party state rendering outside aid to cope with a radiation incident shall be reimbursed by the party state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation and maintenance of officers, employees and equipment incurred in connection with such request: provided that nothing herein contained shall prevent any assisting party state from assuming such loss, damage, expense or other cost or from loaning such equipment or from donating such services to the receiving party state without charges or cost.

E. Each party state shall provide for the payment of compensation and death benefits to injured officers and employees and the representatives of deceased officers and employees in case officers or employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within the state for or in which the officer or employee was regularly employed.

## **Article V.**

### **Facilities, Equipment and Personnel**

A. Whenever a department, agency or officer of a party state responsible for and having control of facilities or equipment designed for or useful in radiation control, radiation research, or any other phase of a radiological health program or programs determines that such a facility or item of equipment is not being used to its full capacity by such party state, or that temporarily it is not needed for current use by such state, a department, agency or officer may, upon request of an appropriate department, agency or officer of another party state, make such facility or item of equipment available for use by such requesting department, agency or officer. Unless otherwise required by law, the availability and use resulting therefrom may be with or without charge, at the discretion of the lending department, agency or officer. Any personal property made

available pursuant to this paragraph may be removed to the requesting state, but no such property shall be made available, except for a specified period and pursuant to written agreement. Except when necessary to meet an emergency, no supplies or materials intended to be consumed prior to return shall be made available pursuant to this paragraph.

B. In recognition of the mutual benefits, in addition to those resulting from Article IV, accruing to the party states from the existence and flexible use of professional or technical personnel having special skills or training related to radiation protection, such personnel may be made available to a party state by appropriate departments, agencies and officers of other party states: provided that the borrower reimburses such party state regularly employing the personnel in question for any cost of making such personnel available, including a prorated share of the salary or other compensation of the personnel involved.

C. Nothing in this Article shall be construed to limit or to modify in any way the provisions of Article IV of this compact.

## **Article VI.**

### **Compact Administrators**

Each party state shall have a compact administrator who shall be the head of the state agency having principal responsibility for radiation protection, and who:

1. Shall coordinate activities pursuant to this compact in and on behalf of his state.
2. Serving jointly with the compact administrators of the other party states, shall develop and keep current an interstate radiation incident plan; consider such other matters as may be appropriate in connection with programs of cooperation in the field of radiation protection and allied areas of common interest; and formulate procedures for claims and reimbursement under the provisions of Article IV.

## **Article VII.**

### **Other Responsibilities and Activities**

Nothing in this compact shall be construed to:

1. Authorize or permit any party state to curtail or diminish its radiation protection program, equipment, services or facilities.
2. Limit or restrict the powers of any state ratifying the same to provide for the radiological health protection of the public and individuals, or to prohibit the enactment or enforcement of state laws, rules or regulations intended to provide for such radiological health protection.

3. Affect any existing or future cooperative relationship or arrangement between Federal, state or local governments and a party state or states.

### Article VIII.

#### Withdrawal

Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the Governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

### Article IX.

#### Construction and Severability

It is the legislative intent that the provisions of this compact be reasonably and liberally construed. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be unconstitutional or the applicability thereof, to any state, agency, person, or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof, to any other state, agency, person or circumstance shall not be affected thereby.

**125-B:2 State Agency.** The state radiation control agency shall formulate and keep current a radiation incident plan for this state, in accordance with the duty assumed pursuant to Article III (a) of this compact.

**125-B:3 Compact Administrator.** The compact administrator for this state, as required by Article VI of the compact, shall be the director of the state radiation control agency.

**131:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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## CHAPTER 132.

AN ACT REPEALING CERTAIN OBSOLETE PROVISIONS OF THE LAWS RELATING  
TO THE SUPERIOR COURT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**132:1 Condemnation.** Amend RSA 26:2 by striking out the words "or any justice thereof" in line three, so the section as amended will read

as follows: **26:2 Appeals.** Any person aggrieved by such location or assessment of damages may appeal to the superior court by petition within sixty days after the return is filed. The court, on application of any interested party, may designate in what county the petition relating to such location shall be tried, and the clerk shall transmit the petition to the clerk of court for the county so designated. Any petition made after such designation may be originally filed in the county designated.

**132:2 Claims Against County.** Amend RSA 28:14 by striking out the words "court or the justices thereof are" in lines two and three and inserting in place thereof the words (superior court is) so the section as amended shall read as follows: **28:14 Allowance.** They shall audit and allow all claims against or in favor of the county, excepting those which the superior court is authorized by law to adjust and allow.

**132:3 County Officers.** Amend RSA 64:6 by striking out the words "or any justice thereof in vacation" in line one so the section as amended shall read as follows: **64:6 Contest.** The superior court may, on the petition of any candidate interested in the contest for any county office, find the facts relating to the election as well before the term of such office begins as after; and any question of law arising upon exception may be heard by the supreme court. The superior court shall issue a certificate of election to the candidate who is found on such proceeding to be elected, and the person receiving such certificate shall assume and discharge the duties of the office.

**132:4 Insane Persons.** Amend RSA 135:17, as amended by 1961, 222:1 and 1963, 39:2, by striking out the words "any justice of the" in line three and inserting in place thereof the words (the superior); further amend the section by striking out the word "justice" in line four and inserting in place thereof the word (court) and further amend said section by striking out the words "in term time or vacation" in line six, so the section as amended shall read as follows: **135:17 Commitment for Observation.** When a person is indicted for any offense, or is committed to jail on any criminal charge to await the action of the grand jury, the superior court before which he is to be tried, if a plea of insanity is made in court, or said court is notified by either party that there is a question as to the sanity of the respondent, may order such person into the care and custody of the superintendent of the New Hampshire Hospital, to be detained and observed by him until further order of the court, or until such person shall have been ordered discharged from the hospital by the director of the division of mental health upon a report to him by the superintendent that such person is not insane.

**132:5 Release.** Amend RSA 135:29 by striking out the words "or any justice thereof" in line one, and the words "in term or vacation" in line two and the words "or justice" in line four, so the section as amended will read as follows: **135:29 Parole.** The superior court may, with or

without notice, on due cause shown, parole any person committed to the hospital upon such terms and conditions as justice may require; and said court may at any time thereafter, on due cause shown, revoke said parole and order said person returned to said hospital under the original commitment.

**132:6 Detention.** Amend RSA 135:30 by striking out the words “or any justice thereof” in lines one and two, so the section as amended will read as follows: **135:30 Investigation of Detention.** The superior court shall at any time, with or without notice, upon application and due cause shown, investigate the question whether there is sufficient reason for the detention in said hospital of any person who has been committed thereto, and shall order his discharge, when such order ought to be made, without the formality of a writ.

**132:7 Abandonment.** Amend RSA 148:30, as amended by 1961, 222:1, by striking out the words “in term time or vacation” in lines three and four so the section as amended shall read as follows: **148:30 Appeal.** In case said division shall require the abandonment of any such emergency source the person, corporation or association aggrieved thereby shall have an appeal to the superior court, said appeal to be taken within thirty days from the receipt of the order from said division, and said court may make such order thereon as justice may require.

**132:8 Town By-laws.** Amend 155:5 by striking out the words “any justice of the court, in term time or vacation” in lines two and three and inserting in place thereof the words (the court) so the section as amended shall read as follows: **155:5 — Appeal from Orders.** Every person aggrieved by any decision of such inspectors may appeal therefrom to the superior court. The court, upon reasonable notice, may inquire into the facts by a committee or otherwise and affirm or overrule the order appealed from, and may make such further orders as justice may require.

**132:9 Building Plan.** Amend RSA 156:4-c as inserted by 1959, 205:1 by striking out the words “either in term time or vacation” in lines five and six, so the section as amended shall read as follows: **156:4-c Appeal.** Any person aggrieved by a decision of the building inspector in the case where no board of appeal or board of adjustment acting as a board of appeal exist; or any person aggrieved by a decision of said board of appeal, or by any board of adjustment acting as a board of appeal, may appeal to the superior court for the county and said court shall make such orders as justice may require.

**132:10 Bastardy.** Amend RSA 168:10 by striking out the words “any justice of” in line three and the words “in term time or vacation” in line four, and further amend said section by striking out the word “he” in line five and inserting in place thereof the words (the court) so the section as amended shall read as follows: **168:10 Discharge From Im-**

**prisonment.** If any person committed to prison by virtue of this chapter is poor, and unable to pay such sum, or to procure such security as may be ordered, the superior court upon application may discharge such person from imprisonment, at such time and upon such terms as the court thinks expedient.

**132:11 Dissenting Stockholders.** Amend RSA 367:27 by striking out the words “any justice of” in line seven and the words “in term time or vacation” in line eight, so the section as amended will read as follows: **367:27 Petition for Relief.** If any stockholder in a railroad corporation which has voted to build an extension or branch, or which has become a party to a lease or to a contract of union under the provisions of this chapter, shall dissent from the building of such extension or branch, or from such lease or union, the corporation in which he is a stockholder in the case of building an extension or branch, or of a lease, or the new corporation in case of union, may apply by petition to the superior court, setting forth the action of the corporation in respect to the matter dissented from, the names and residences of all the stockholders of the petitioning corporation, so far as known, designating those who have assented to the action taken, those who have dissented therefrom, and those who have not expressed their assent or dissent, and praying that the court may determine the value of the stock, interest or property right taken of dissenting stockholders, or of any stockholder who may be entitled to have the value of his stock, interest of property right taken, determined, and for such other relief as the petitioner may desire.

**132:12 Publication.** Amend RSA 367:28 by striking out the words “such justice” in line one and inserting in place thereof the words (the court), further amend the section by striking out the words “in term time or vacation” in line two; and further amend by striking out the word “justice” in line four and inserting in its place the word (court) so the section as amended will read as follows: **367:28 Notice.** The court shall fix a time and place for a hearing upon the petition, and shall order the petitioner to give notice thereof by publishing the petition, or the substance of it (not including the names of stockholders), in such newspapers as the court may order, and by mailing post paid to each nonassenting stockholder whose name and residence is known a copy of the petition and order (not including the names of stockholders), at least fourteen days before the day of hearing.

**132:13 Payment.** Amend RSA 367:34 by striking out the words “any justice of” in line three and the words “in term time or vacation” in line four, so the section as amended will read as follows: **367:34 — Effect.** Whenever the petitioner has made such payment or tender and deposit, the stock, interest or property right of the stockholder shall become the property of the petitioner, and the court may make and enforce such orders as may be necessary to secure the same to the petitioner.

**132:14 Possession of Property.** Amend RSA 367:35 by striking out the words “any justice of the” in line five and inserting in place thereof the words (the superior), and further amend the section by striking out the words “in term time or vacation” in line six so the section as amended will read as follows: **367:35 Perfecting Title.** Whenever the petitioner has made payment or tender and deposit of all sums thus awarded, the lessee corporation, or the new corporation, as the case may be, shall become possessed and seized of the property, franchises and rights named in the contract of lease or union, in accordance with the terms thereof and the superior court may make and enforce any orders that may be necessary to perfect the title.

**132:15 Bank Consolidation.** Amend RSA 388:1 by striking out the words “or to any justice of said court in vacation” in lines six and seven, so the section as amended will read as follows: **388:1 Petition.** Any mutual savings bank incorporated under the laws of this state, or a majority of the members of such corporation, and any trust or banking company, or any other savings bank, incorporated under the laws of this state, or a majority of the members or the holders of a majority of the stock thereof, may apply by petition to the superior court in the county in which either of said petitioning corporations is located for a decree authorizing a union of said savings bank, said trust or banking company or part thereof, said other savings bank, a national bank or any such corporation to be organized for consolidating the petitioning institutions, and the dissolution of such of them as are to be liquidated in the consolidation.

**132:16 Liquidation.** Amend RSA 395:5 by striking out the words “or any justice thereof” in line six, so the section as amended will read as follows: **395:5 Commissioner’s Duties.** Upon taking possession of the property and business of any institution to which this chapter applies, the commissioner shall have authority to collect money due the institution and to do such other acts as are necessary to conserve its assets and business. He shall collect all debts due and claims belonging to it, and, upon the order of the superior court, may sell or compound all bad or doubtful debts; and on like order may sell all or any part of the real and personal property of the institution on such terms as the court shall direct.

**132:17 Domestic Life Insurance Companies.** Amend RSA 411:21 by striking out the words “or to a justice of said court” in line five, so the section as amended will read as follows: **411:21 Application for Receiver.** If it appears to him that the assets of such company are less than its liabilities, exclusive of capital stock, he may communicate the facts to the attorney-general, who may apply to the superior court in the county where the principal office of said company is located for a receiver of said company.

**132:18 Divorce.** Amend RSA 458:16 (supp) as amended by 1955, 262:3, by striking out the words “or any justice thereof” in line two so



the section as amended will read as follows: **458:16 Temporary Orders.** After the filing of a libel for divorce, annulment or a decree of nullity, the superior court may restrain either party from imposing any restraint upon the person or liberty of the other, or from entering the tenement wherein the other resides during the pendency of the libel and, during such pendency, may order a temporary allowance to be paid for the support of the other, and may make such orders respecting the custody and maintenance of the minor children of the parties as shall be deemed expedient and for the benefit of the children.

**132:19 Injunction.** Amend RSA 460:16 by striking out the words "or a justice thereof" in line two, so the section as amended will read as follows: **460:16 Guardianship, etc.** Upon her application, a guardian may be appointed for the child, and the superior court may issue an injunction restraining the father and all other persons from removing the child from this state against the consent of the mother, and may make such further orders and decrees as shall secure to her or to the guardian the custody of the child.

**132:20 Custody of Child.** Amend RSA 460:21 by striking out the words "or a justice thereof", in line two so the section as amended will read as follows: **460:21 Guardianship, Etc.** Upon his application, a guardian may be appointed for the child, and the superior court may issue an injunction restraining the mother and all other persons from removing the child from this state against the consent of the father, and may make such further orders and decrees as shall secure to him or to the guardian the custody of the child.

**132:21 Exceptions.** Amend RSA 491:17 by striking out the words "or by any justice of the court at any time" in line five, so the section as amended will read as follows: **491:17 Transfer of Cases.** Questions arising upon exceptions, upon a special verdict, an issue of law, motion for a new trial or in arrest of judgment, or other motion or proceeding, or upon a statement of facts agreed to and signed by the parties, may be reserved and transferred by the presiding justice, if he think fit, for the determination of the supreme court.

**132:22 Equity Powers.** Amend RSA 498:12 by striking out the words "a justice, in term time or vacation" in lines four and five and inserting in place thereof the words (the superior court), so the section as amended will read as follows: **498:12 Interlocutory Orders.** The appointment of commissioners and receivers, the reference of questions to masters, granting writs of injunction to stay proceedings or waste, making interlocutory decrees or orders and other incidental proceedings, may be had and done by the superior court in any county; but injunctions so issued shall continue unless sooner dissolved, only until the end of the next term for the county in which the proceedings are pending.

**132:23 Attachment.** Amend RSA 498:21 by striking out the words “or any justice thereof” in lines two and three, so the section as amended will read as follows: **498:21 Modification, or Discharge of Lien.** Any lien acquired by proceedings in equity may be released, discharged or modified by the court in such manner and upon such terms as justice may require.

**132:24 Release of Attachment.** Amend RSA 511:48 (supp) as amended by 1961, 100:1, by striking out the words “a justice of” in lines two and three, and further amend the section by striking out the word “justice” in line four and inserting in place thereof the word (court) so the section as amended will read as follows: **511:48 Petition; Bond.** A defendant whose interest in real estate is attached on mesne process may apply by a petition in writing to the superior court to have the attachment released, and upon reasonable notice to all parties interested, or their attorneys, and hearing, the court may order the petitioner to give bond to the plaintiff, with sufficient sureties, conditioned to pay the judgment which may be recovered by the plaintiff, with his costs on such petition, within sixty days after judgment.

**132:25 Additional Attachment.** Amend RSA 511:60 by striking out said section and inserting in place thereof the following: **511:60 On Order of Court.** After such notice to the defendant as the superior court may order, upon being satisfied that new or additional security for the enforcement of any judgment or decree that may be made in behalf of the plaintiff is reasonably necessary, the court may, upon such terms as justice may require, make an order permitting new or additional attachments or trustee process to be made after the service of the writ or petition upon the defendant, within such time as the court may limit.

**132:26 Trustee Process.** Amend RSA 512:40 by striking out the words “or to a justice thereof in vacation” in lines two and three, and further amend the section by striking out the words “or justice” in line three and also in lines nine and ten, so the section as amended will read as follows: **512:40 Bond.** A defendant whose rights, credits or other things are attached upon trustee process may apply to the court for a release of the attachment. The court after reasonable notice to the parties, may order the petitioner to give to the plaintiff a sufficient bond, conditioned to pay the plaintiff, within thirty days after judgment, any sum, and the value of any specific articles, with which the trustee is chargeable, not exceeding the amount of the plaintiff’s judgment. The giving of such bond shall operate as a release of the attachment. The value of such specific articles shall be estimated by the court, or under their direction.

**132:27 Discharge from Arrest.** Amend RSA 513:12 by striking out the words “a justice of” and the words “in term time or vacation” in lines three and four, and further amend the section by striking out the word

“justice” in line five and inserting in place thereof the word (court), so the section as amended will read as follows: **513:12 Petition to Court.** Any person arrested or committed to jail on mesne process in an action of tort, or any mentally incompetent person arrested or committed to jail on civil process, may apply by petition to the superior court praying for his release, and the court, after notice to the plaintiff and a hearing, may discharge such person from arrest upon such terms and conditions as justice may require.

**132:28 Arrest and Bail.** Amend RSA 513:14 by striking out the words “or any justice thereof” in line two, so the section as amended will read as follows: **513:14 Capias on Motion.** If no sufficient attachment has been made in a suit, and there is no sufficient bail, the court upon motion and satisfactory evidence that the defendant intends to leave the state, may order a capias to issue, on which the defendant may be arrested and held to bail as on an original writ.

**132:29 Depositions.** Amend RSA 517:15 by striking out the word “to” in line one, and the words “any justice thereof, either in term time or vacation” in lines one and two, so the section as amended will read as follows: **517:15 Appointment.** Upon petition the superior court may appoint some suitable person as commissioner to take depositions outside this state, for use in causes pending in or returnable to said court.

**132:30 Referees.** Amend RSA 519:9 by striking out the words “or any justice thereof in vacation” in lines one and two, so the section as amended will read as follows: **519:9 Appointment.** The superior court with the consent of the parties shall, and without the consent of the parties may, commit to one or more referees any cause at law or in equity, or the determination of any question of fact pending in court wherein the parties are not, as matter of right, entitled to a trial by jury; and with the consent of the parties shall so commit any other cause or the determination of any other question of fact.

**132:31 Judgment.** Amend RSA 524:9 by striking out the words “or any justice in vacation” in line one, so the section as amended will read as follows: **524:9 Copy of Note.** The court may allow a copy of a note or other instrument to be filed in a suit for the purpose of rendering judgment thereon.

**132:32 Costs Allowed.** Amend RSA 525:2 by striking out the words “a justice of” and the words “in vacation or term time” in lines two and three, so the section as amended will read as follows: **525:2 Injunctions, etc.** On a petition for an injunction, the appointment of a receiver or other temporary or provisional order, before the superior court, costs may be allowed as in other judicial proceedings.

**132:33 Imprisonment.** Amend RSA 531:12 by striking out the words “or a justice thereof” in lines three and four, so the section as amended

will read as follows: **531:12 Defendant's Liability, Torts, etc.** Any person so committed in actions of trespass, case or for bastardy shall be detained for nonpayment of prison charges until released by order of the superior court.

**132:34 Hearing.** Amend RSA 544:6 by striking out the words "or a justice thereof" in lines two and three, so the section as amended will read as follows: **544:6 Temporary Injunction.** After such filing, application for a temporary injunction may be made to the superior court, who shall grant a hearing thereon within ten days thereafter.

**132:35 Restraining Order.** Amend RSA 544:7 by striking out the words "or justice" in line two and in line six, so the section as amended will read as follows: **544:7 — Ex Parte Order.** Where such application for a temporary injunction has been made the court may, on application of the complainant, issue an ex parte order restraining the defendants and all other persons from removing or in any manner interfering with the personal property and contents of the place where such nuisance is alleged to exist until the decision of the court granting or refusing such injunction and until the further order of the court.

**132:36 Special Administrator.** Amend RSA 553:24 by striking out the words "in term time, or any justice thereof in vacation" in lines three and four, so the section as amended will read as follows: **553:24 Effect of Appeal.** No appeal from the appointment of a special administrator shall suspend his duties; but in case his bond is alleged by a party interested to be insufficient, the superior court, upon summary proceedings, shall have power to order a new bond and an absolute or qualified stay of proceedings until the order is complied with.

**132:37 Unlawful Business.** Amend RSA 577:27 by striking out the word "solicitor" in line three and inserting in place thereof the word (attorney) and further amend the section by striking out the words "or any justice thereof" in line three, so the section as amended will read as follows: **577:27 Injunctions.** When a prosecution is commenced for the violation of any of the provisions of this subdivision the attorney-general or county attorney may petition the superior court to enjoin the carrying on of such unlawful business in the place where a complaint, information, or indictment charges that it has been conducted.

**132:38 Form of Recognizance.** Amend RSA 597:26 by striking out the words "or justice" in line two so the section as amended will read as follows: **597:26 Variations.** Recognizances may be taken in any other form which the court, considering the circumstances of the case, may direct or allow.

**132:39 Discharge of Sureties.** Amend RSA 597:28 by striking out the words "in vacation" in line one and further amend the section by striking out the word "solicitor" in line seven and inserting in place there-

of the word (attorney) so the section as amended will read as follows: **597:28 Surrender, to Jailer.** Sureties may be discharged before forfeiture of the recognizance, by committing the principal to the jail of the county, by leaving with the jailer a certified copy of the order to recognize and of the names of the bail, and a certificate of the bail thereon that they have committed the principal in discharge of their liability as bail, and by giving written notice thereof to the attorney-general or county attorney.

**132:40 Recognizance.** Amend RSA 597:29 by striking out the words "or justice" in line five so the section as amended will read as follows: **597:29 Jailer's Authority; New Bail.** The copies and certificates aforesaid shall be sufficient authority for the keeper of the jail to detain the party committed until he shall be discharged by due order of law; and the accused may be again recognized with sureties, agreeably to the original order of the court requiring such recognizance.

**132:41 Failure to Appear.** Amend RSA 597:37 by striking out the words "or justice" in line one and also in lines two and three, so the section as amended will read as follows: **597:37 Bench Warrants.** Any court may issue a warrant for the arrest of a person under recognizance to appear before the court, who fails to appear according to the condition thereof, or of any person who, being party to a criminal proceeding, is, by escape or otherwise, improperly at large.

**132:42 Discharge of Prisoner Unable to Procure Bail.** Amend RSA 597:39 by striking out the words "or any justice thereof" in line one, and further amend the section by striking out the word "solicitor" in line two and inserting in place thereof the words (county attorney) so the section as amended will read as follows: **597:39 Procedure.** The court, upon petition and notice to the county attorney, prosecutor or party interested, may order the discharge of any person imprisoned for inability to find sureties in a recognizance, upon such terms as may be deemed just.

**132:43 County Jails.** Amend RSA 619:3 by striking out the words "any justice of" and the words "either in term time or in vacation" in lines one and two, and by striking out the words "to be designated by said justice" in lines four and five, so the section as amended will read as follows: **619:3 Removal of Prisoners on Closing.** Whenever a jail is closed the superior court may thereupon order the prisoners then confined in such jail to be removed therefrom to some other jail in the same or another county as a substitute for the jail so closed, there to be detained, in the same manner and by the same process as in the jail from which they were so removed, until again removed by like process or discharged according by law.

**132:44 Repeal.** RSA 513:13, hearing by justices, is hereby repealed.

**132:45 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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### CHAPTER 133.

AN ACT TRANSFERRING THE CERTIFYING AUTHORITY FOR ADMISSION TO LA-  
CONIA STATE SCHOOL FROM THE NEW HAMPSHIRE CHILD GUIDANCE  
CLINIC TO THE LACONIA STATE SCHOOL.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**133:1 Transfer of Certifying Authority for Admission to Laconia State School.** Amend RSA 171:13 as amended by 1955, 314:1, by striking the words "mental hygiene clinic" in lines three and four and inserting in place thereof the words (Laconia state school) and by striking the word "clinic" in line eight and inserting in place thereof the word (school) so that said section as amended shall read as follows: **171:13 Committals.** Any petition for the committal of any person to the Laconia state school shall be referred by the judge of probate to the Laconia state school, or a suitable and adequate agency approved by the Laconia state school, for study, report and recommendation, prior to hearing. Upon the finding that such person is a suitable subject for said institution, such person may be committed to said school by an order of commitment, directed to the superintendent, accompanied by a certified copy of the report prepared and executed by said school.

**133:2 Application to Committals by Municipal Courts.** Amend RSA 171:17 as amended by 1955, 314:1, by striking the words "mental hygiene clinic" in line three and inserting in place thereof the words (said school) so that said section as amended shall read as follows: **171:17 Committals by Municipal Courts.** Municipal courts may commit to the said school, under the provisions of RSA 169:18, provided that said person has been referred to the said school as in the case of committals by the judge of probate under section 13 hereof.

**133:3 Application to Committals by Superior Courts.** Amend RSA 171:18 as amended by 1955, 314:1 and 1961, 222:1 by striking the words "mental hygiene clinic" in lines four and five and inserting in place thereof the words (Laconia state school) so that said section as amended shall read as follows: **171:18 Committals by Superior Courts.** Whenever, in any proceeding before the superior court, it shall appear that any respondent or any person being examined as provided by RSA 173:4, is mentally deficient, the justice thereof may require an examination of said person by the Laconia state school as provided in section 13 hereof. Upon

a finding that said person is a fit subject for said school, the justice may issue an order of commitment directed to the superintendent thereof and to the director of the division of mental health, department of health and welfare. The court shall have continuing jurisdiction and may alter or amend such order of commitment as may be necessary. Nothing contained herein shall relieve any person legally chargeable from payment for care and custody of said person.

**133:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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## CHAPTER 134.

AN ACT ESTABLISHING THE NEW HAMPSHIRE RETIREMENT SYSTEM.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**134:1 Retirement System Established.** Amend RSA by inserting after chapter 100 the following new chapter:

### CHAPTER 100-A

#### NEW HAMPSHIRE RETIREMENT SYSTEM

**100-A:1 Definitions.** The following words and phrases as used in this chapter, unless a different meaning is plainly required by the context, shall have the following meanings:

I. "Retirement system" shall mean the New Hampshire Retirement System as defined in section 2.

II. "Board of trustees" or "board" shall mean the board provided for in section 14.

III. "State" shall mean the state of New Hampshire.

IV. "Employer" shall mean (a) the state or any department, commission, institution or agency of the state government by which an employee is paid through the office of the state treasurer with respect to their employees, (b) the state, the local school district or other employers of teachers eligible for membership in the system with respect to the teachers in their employ, (c) any police department or police force of the state, or of any county, city, town, village or precinct in the state with respect to the permanent policemen in their employ, and (d) any fire department of the state, or of any county, city, town, village or precinct in the state with respect to the permanent firemen in their employ.

V. "Employee" shall mean any regular classified or unclassified officer or employee of the state or any department, commission, institution or agency of the state government by which an employee is paid through the office of the state treasurer, except members and attaches of the general court or members of the executive council. It shall also mean any employee of any of the groups authorized to participate in the state employees retirement system pursuant to the provisions of RSA 100:46 to 63 inclusive. In all cases of doubt the board of trustees shall determine whether any person is an employee as defined herein.

VI. "Teacher" shall mean any regular or special teacher, principal, supervisor or administrator, librarian or other member of the teaching or professional staff engaged in the service of the public elementary and secondary schools located within the state and supported by and under the control of the state, the local school district, or other employers of teachers eligible for membership in the system. In all cases of doubt the board of trustees shall determine whether any person is a teacher as herein defined.

VII. "Permanent policeman" shall mean any person, male or female, who is a chief, deputy chief, marshal, deputy marshal, colonel, major, captain, lieutenant, sergeant, officer of other rank, inspector, chief clerk, clerk, radio dispatcher, radio engineer or operator, patrolman, trooper, detective, investigator, mechanic, electrician, laboratory worker or other technical expert regularly employed on full time duty by a police department or police force of the state, or of any county, city, town, village or precinct in the state. In all cases of doubt the board of trustees shall determine whether any person is a permanent policeman as defined herein.

VIII. "Permanent fireman" shall mean a private fireman or officer regularly employed on full time duty by any fire department of the state or of any county, city, town, village or precinct of the state. "Officer" for purposes of this definition shall include any chief, deputy chief, captain, lieutenant, foreman so employed, or other technical expert regularly employed on full time duty. In all cases of doubt the board of trustees shall determine whether any person is a permanent fireman as defined herein.

IX. "Call fireman" shall mean a fireman not regularly employed by a fire department, but answering for duty only to fire alarms.

X. "Member" shall mean any person included in the membership of the retirement system, as provided in section 3.

(a) "Group I members" shall mean employees and teachers.

(b) "Group II members" shall mean permanent policemen and permanent firemen.



XI. "Beneficiary" shall mean any person receiving a retirement allowance or other benefit as provided herein.

XII. "Widow" shall mean also widowers.

XIII. "Service" shall mean service as an employee, a teacher, a permanent policeman or a permanent fireman which is paid for by an employer.

XIV. "Membership service" shall mean service rendered while a member of the retirement system.

XV. "Prior service" shall mean service rendered prior to the date of membership in the retirement system for which credit was given under the terms of one or more of the predecessor systems as set forth in section 4.

XVI. "Creditable service" shall mean prior service plus membership service, as provided in section 4.

XVII. "Earnable compensation" shall mean the full base rate of compensation paid to an employee, teacher, permanent policeman or permanent fireman, plus, in the case of teachers, such additional amounts as may be paid for extra-curricular educational activities or cost-of-living bonus. In cases where compensation includes maintenance the board of trustees shall fix the value of that part of the compensation not paid in money. Notwithstanding the foregoing, in the case of employees or teachers, the earnable compensation of a member whose compensation is reduced for any reason shall, at the election of the employee or teacher made at the time of such reduction, be deemed for the purposes of the retirement system to be continued at the higher rate. Such election shall be irrevocable.

XVIII. "Average final compensation" shall mean the average annual earnable compensation of a member during his highest five years of creditable service, or during all of the years in his creditable service if less than five years.

XIX. "Accumulated contributions" shall mean the sum of all the amounts deducted from the compensation of a member together with any amount transferred to the account of the member established pursuant to this system from the respective account of said member under one or more of the predecessor systems, with interest thereon, as provided in paragraph II of section 16.

XX. "Member annuity" shall mean annual payments for life derived from the accumulated contributions of the member.

XXI. "State annuity" shall mean annual payments for life derived from contributions by an employer.

XXII. "Retirement allowance" shall mean the sum of the member annuity and the state annuity. All retirement allowances shall be payable in equal monthly installments which shall cease with the last monthly payment prior to death, unless otherwise specifically provided for herein; provided, however, that if the retirement allowance is less than ten dollars per month, it may be paid, at the discretion of the board of trustees, in quarterly or semi-annual installments due at the midpoint of such period, or in a lump sum of equivalent actuarial value.

XXIII. "Retirement" shall mean withdrawal from active service with a retirement allowance granted under the provisions hereof.

XXIV. "Regular interest" shall mean interest at such rate or rates compounded annually as may be set from time to time by the board of trustees in accordance with paragraph VIII of section 14.

XXV. "Actuarial equivalent" shall mean a benefit of equal value when computed at regular interest upon the basis of the mortality tables last adopted by the board of trustees.

XXVI. "Primary insurance amount" shall mean the amount which a group I retired member may be entitled to receive as a primary insurance amount under Title II of the Social Security Act, as now in effect or as hereafter amended, even though such amount or any part thereof is not actually received by such retired member because of his failure to make application therefor, or because of his having rendered service during the period for which such benefit would otherwise be payable, or for any other reason.

XXVII. "Survivor's insurance benefit" shall mean the amount payable under Title II of the Social Security Act as now in effect or as hereafter amended, to any person or persons on account of the death of the group I member, even though such amount or any part thereof is not actually received by such person because of his failure to make application therefor, or because of his having rendered service during the period for which such benefit would otherwise be payable, or for any other reason.

XXVIII. "Predecessor system" shall mean, where applicable, the Employees' Retirement System of the State of New Hampshire, the New Hampshire Teachers' Retirement System, the New Hampshire Police-men's Retirement System, and the New Hampshire Permanent Firemen's Retirement System, any one of them, or any combination thereof.

**100-A:2 Name and Date of Establishment.** The retirement system hereby created shall be established as of July 1, 1967. It shall have the powers, privileges and immunities of a corporation, and shall be known as the New Hampshire Retirement System, and by such name all of its business shall be transacted, all of its funds invested, and all of its cash,

securities and other property held in trust for the purpose for which received.

### **100-A:3 Membership.**

I. Any person who becomes an employee, teacher, permanent policeman or permanent fireman after the date of establishment shall become a member of the retirement system as a condition of employment; except that membership shall be optional in the case of elected officials or officials appointed for fixed terms.

II. Any person who was a member of or participant in one of the predecessor systems immediately preceding the date of establishment may become a member: (1) as of January 1, 1968 provided that on or before November 30, 1967 he shall have filed with the board of trustees, on a form prescribed by said board, a notice of his election to become a member of the retirement system; or, (2) as of July 1, 1968 provided that on or before May 1, 1968 he shall have filed as provided above. Such election, when filed, shall be irrevocable.

III. The board of trustees may, in its discretion, accept as members any class of employees, teachers, permanent policemen or permanent firemen whose compensation is only partly paid by an employer or who are serving on a temporary or other than per annum basis, and it may also, in its discretion, make optional with employees, teachers, permanent policemen or permanent firemen in any such class their individual entrance into membership.

IV. The board of trustees shall require from any employer of employees, teachers, permanent policemen or permanent firemen covered by the retirement system such information relative to name, title, compensation, date of birth and length of service of each of its employees, teachers, permanent policemen and permanent firemen as the board may deem necessary.

V. A member shall cease to be a member if (a) he is absent from service more than six years in any period of seven consecutive years after last becoming a member; (b) he withdraws his accumulated contributions; or (c) he becomes a beneficiary or dies. Notwithstanding the foregoing, the board of trustees shall continue the membership of a member while in the armed forces of the United States provided such member does not withdraw his accumulated contributions.

### **100-A:4 Creditable Service.**

I. With respect to service rendered prior to the date of membership, each employee, teacher, permanent policeman or permanent fireman who elects, pursuant to paragraph II of section 3 to become a member of the retirement system as of January 1, 1968 or July 1, 1968, shall have in-

cluded as creditable service hereunder all service credited to him under the terms of one or more of the predecessor systems, provided his membership continues unbroken until his retirement. Should the employee, teacher, permanent policeman or permanent fireman whose membership is broken again become a member, he shall enter the retirement system as a member not entitled to such prior service credit, except as provided in section 7.

II. Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of his membership service since he became a member or since he last became a member in the event of a break in membership, and the prior service, if any, which is credited to him under paragraph I.

III. The board shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to one year of service, but in no case shall it allow credit for a period of absence without pay of more than a month's duration, nor shall more than one year of service be creditable for all service in a calendar year. Service rendered for the full normal working time in any year shall be equivalent to one year's service.

IV. Any employee, teacher, permanent policeman or permanent fireman who after the date of establishment terminated his employment in order to enter directly into the armed forces of the United States or other emergency wartime service of the United States approved by the board of trustees, shall be entitled to service credit for the period of such military or other wartime service, provided he again becomes employed within a year after the termination of such military or other wartime service, unless he is prevented from such reemployment by virtue of disability incurred during the period of such military or other wartime service, and provided further that he elects to make, and makes within a period of time equal to twice the length of time of such service, all payments to the system he would have been required to make had he been so employed during the period of such military or other wartime service.

#### **100-A:5 Service Retirement Benefits.**

##### **I. Group I Members.**

(a) Any group I member in service may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time, not less than thirty days nor more than ninety days subsequent to the filing thereof, he desires to be retired, provided the member at the time so specified for his retirement has attained age sixty and notwithstanding that during such period of notification he may have separated from service. Any group I member in service as an employee who attains age seventy, except an elected or appointed official of the state, shall be retired forthwith or on the first day of the next following

month. Any group I member in service as a teacher who attains age sixty-five shall be retired at the end of the then ensuing school year, unless said member shall request an extension of service. Extensions of service in the case of employees shall be requested of a committee consisting of the director of personnel and two members of the board of trustees, one of whom shall be an employee member, and in the case of teachers shall be requested of the state board of education on the recommendation of the superintendent of schools. The extensions shall be granted on a year-to-year basis, and in no event beyond the member's attainment of age seventy or the school year in which he shall have attained age seventy. The two members from the board of trustees shall be named to the committee for terms of two years by the board of trustees, and the decision of the committee on the employee member's application for an extension of service shall be final.

(b) Upon service retirement, a group I member shall receive a service retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and (2) A state annuity payable prior to his attainment of age sixty-five which, together with his member annuity, shall be equal to one-sixtieth of his average final compensation multiplied by the number of years of his creditable service not in excess of thirty years, plus one-one hundred and twentieth of such compensation multiplied by the number of years of his creditable service in excess of thirty years. After his attainment of age sixty-five his state annuity shall be reduced by the sum of one-one hundred and twentieth of his average final compensation not in excess of the applicable social security breakpoint for each of the first thirty years of his creditable service and one-two hundred and fortieth of such compensation not in excess of the applicable social security breakpoint for each year of creditable service in excess of thirty years; provided that no such reduction shall be made in respect to any teacher for his years of creditable service between July 1, 1945 and July 1, 1950 and for those years of creditable service between July 1, 1950 and July 1, 1957 with respect to which he did not elect a refund of past contributions under Section 21 of Chapter 192, Laws of 1957; and further provided that such reduced retirement allowance, together with his primary insurance amount, shall not be less than one-sixtieth of the member's average final compensation for each year of creditable service not in excess of thirty years. For purposes of the above, social security breakpoint shall mean four thousand two hundred dollars with respect to each year of prior service and shall mean the maximum amount of taxable wages under the Federal Insurance Contributions Act as from time to time in effect with respect to each year of membership service.

## II. Group II Members.

(a) Any group II member in service who has attained age fifty and

completed twenty-five years of creditable service may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than thirty days nor more than ninety days subsequent to the filing thereof, he desires to be retired, notwithstanding that during such period of notification he may have separated from service. Any group II member in service who attains age sixty-five shall be retired forthwith or on the first day of the next following month.

(b) Upon service retirement, a group II member shall receive a service retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and (2) A state annuity which, together with his member annuity, shall be equal to two per cent of his average final compensation multiplied by the number of years of his creditable service not in excess of twenty-five years, plus one per cent of such compensation multiplied by the number of years of his creditable service in excess of twenty-five years.

#### **100-A:6 Disability Retirement Benefits.**

##### **I. Group I Members.**

(a) Upon the application of a group I member in service or of his employer, any such member who has ten or more years of creditable service may be retired by the board of trustees on an ordinary disability retirement allowance, not less than thirty nor more than ninety days subsequent to the filing of such application; provided that a physician or physicians designated by the board of trustees, after a medical examination of such member, shall certify, and the board shall find, that he is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent and that he should be retired.

(b) Upon ordinary disability retirement, the group I member shall receive a service retirement allowance if he has attained age sixty, otherwise he shall receive an ordinary disability retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and (2) A state annuity payable until he is eligible for an unreduced benefit under the Social Security Act which, together with his member annuity, shall be equal to ninety per cent of the service retirement allowance that would be payable to him prior to his attainment of age sixty-five on the basis of his average final compensation and creditable service at the time of his disability retirement; provided, however, that such allowance shall not be less than twenty-five per cent of the member's average final compensation, nor greater than ninety per cent of one-sixtieth of such compensation multiplied by the number of years of creditable service the member would have had had he remained in service until he attained age sixty; after he is eligible for an unreduced benefit under the Social Se-

curity Act his state annuity shall be reduced to an amount which, together with his member annuity, shall be equal to ninety per cent of the service retirement allowance that would be payable after his attainment of age sixty-five on the basis of his average final compensation and creditable service at the time of his disability retirement; provided, however, that such reduced retirement allowance, together with his primary insurance amount, shall not be less than the disability retirement allowance payable prior to his eligibility for a primary insurance amount.

(c) Upon the application of a group I member in service or of his employer, any such member who has been totally and permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty at some definite time and place, without wilful negligence on his part, may be retired by the board of trustees on an accidental disability retirement allowance; provided that he is found to be mentally or physically incapacitated for the further performance of duty and that such incapacity is likely to be permanent.

(d) Upon the accidental disability retirement, the group I member shall receive a service retirement allowance if he has attained age sixty; otherwise he shall receive an accidental disability retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and (2) A state annuity payable until he is eligible for an unreduced benefit under the Social Security Act which, together with his member annuity, shall be equal to fifty per cent of his average final compensation; and (3) A state annuity payable after he is eligible for an unreduced benefit under the Social Security Act which, together with his member annuity, shall be equal to the service retirement allowance that would be payable after his attainment of age sixty-five on the basis of his average final compensation at the time of his disability retirement and thirty years of creditable service.

## II. Group II Members.

(a) Upon the application of a group II member in service or of his employer, any such member who has ten or more years of creditable service may be retired by the board of trustees on an ordinary disability retirement allowance, not less than thirty nor more than ninety days subsequent to the filing of such application; provided that a physician or physicians designated by the board of trustees, after a medical examination of such member, shall certify, and the board shall find, that he is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent and that he should be retired.

(b) Upon ordinary disability retirement, the group II member shall receive a service retirement allowance if he has attained age fifty and

completed twenty-five years of creditable service, otherwise he shall receive an ordinary disability retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and (2) A state annuity which, together with his member annuity, shall be equal to a service retirement allowance based on the member's average final compensation and creditable service at the time of his disability retirement; provided, however, that such allowance shall not be less than twenty-five per cent of the member's average final compensation at the time of his disability retirement.

(c) Upon the application of a group II member in service or of his employer, any such member who has been totally and permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty at some definite time and place, without wilful negligence on his part, may be retired by the board of trustees on an accidental disability retirement allowance; provided that he is found to be mentally or physically incapacitated for the further performance of duty and that such incapacity is likely to be permanent.

(d) Upon accidental disability retirement, the group II member shall receive an accidental disability retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and (2) A state annuity which, together with his member annuity, shall be equal to two-thirds of his average final compensation at the time of his disability retirement.

III. Medical Examination; Gainful Occupation; Workmen's Compensation.

(a) Once each year during the first five years following the retirement of either a group I or group II member on a disability retirement allowance, and once in every three year period thereafter, the board of trustees may, and upon his application shall, require any disability beneficiary who has not attained age sixty to undergo a medical examination by a physician or physicians designated by the board. If any disability beneficiary who has not attained age sixty refuses to submit to such medical examination, his state annuity may be discontinued by the board of trustees until his withdrawal of such refusal, and if his refusal continues for more than one year, all his rights in and to his state annuity may be revoked by the board.

(b) If the board of trustees finds that any disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation at retirement, then his state annuity shall be reduced to an amount which, together with his member annuity and the amount



earnable by him, shall equal his average final compensation at retirement. If his earning capacity is later changed, his state annuity may be modified; provided that the new state annuity shall not exceed the amount of the state annuity originally granted nor an amount which, when added to the amount earnable by him, together with his member annuity, equals his average final compensation at retirement.

(c) Any amounts which may be paid or payable to or on account of any member or retired member on account of any disability to which the employer has made contributions under the provisions of any workmen's compensation or similar law or plan shall, in such manner as the board of trustees shall determine, be offset against and payable in lieu of any state annuity on account of the same disability.

**100-A:7 Restoration to Service.** If a disability beneficiary is restored to service and if his annual earnable compensation then, or at any time thereafter, is equal to or greater than his average final compensation at retirement, or if any other beneficiary is restored to service, his retirement allowance shall cease, he shall again become a member of the retirement system and he shall contribute thereafter at the rate payable with respect to the same age which determined the rate paid prior to his retirement. Anything herein to the contrary notwithstanding, any credit for membership service and for any prior service on the basis of which his creditable service was computed at the time of his former retirement shall be restored to full force and effect; but if he is restored to membership after the attainment of age fifty in the case of a group I member, or age forty-five in the case of a group II member, upon subsequent retirement within a period of three years after such restoration to membership, he shall receive a retirement allowance based on his service as a member since his last restoration to membership, plus a retirement allowance equal to the retirement allowance to which he was entitled at the time of such restoration, except that the total retirement allowance upon such subsequent retirement shall not be a greater proportion of his average final compensation than the proportion to which he would have been entitled had he remained in service during the period of his prior retirement.

#### **100-A:8 Accidental Death Benefits.**

##### **I. Group I Members.**

(a) If, upon the receipt by the board of trustees of proper proof of the death of a group I member in service indicating that such death was the natural and proximate result of an accident occurring while in the performance of duty at some definite time and place, the board decides that death was the result of an accident in the performance of duty and not caused by wilful negligence on the part of the member, a state annuity shall be paid to his widow, to continue during her widowhood; or if there is no widow, or if the widow dies or remarries before the

youngest child of the deceased member has attained age eighteen, then to his child or children under such age, divided in such manner as the board in its discretion shall determine, to continue as a joint and survivorship state annuity for the benefit of such child or children under said age until every child dies or attains said age; or if there is no widow or child under age eighteen living at the death of the member, then to his dependent father or dependent mother as the board shall determine, to continue for life; or if the deceased member is a female, the foregoing benefits shall be payable to her children or dependent parents only in like manner and amount; provided that if none of the aforementioned beneficiaries is living at the death of the member no benefit shall be payable under the provisions of this section.

(b) Upon the accidental death of a group I member the amount of the state annuity payable shall be equal to the sum of: (1) twenty-five per cent of the portion of his average final compensation not in excess of six thousand six hundred dollars, and (2) fifty per cent of the portion of his average final compensation in excess of six thousand six hundred dollars; provided that such state annuity, together with any survivors' insurance benefits payable on account of the member's death, shall not be less than fifty per cent of his average final compensation.

## II. Group II Members.

(a) If, upon the receipt by the board of trustees of proper proof of the death of a group II member in service indicating that such death was the natural and proximate result of an accident occurring while in the performance of duty at some definite time and place, the board decides that death was the result of an accident in the performance of duty and not caused by wilful negligence on the part of the member, a state annuity shall be paid to his widow, to continue during her widowhood; or if there is no widow, or if the widow dies or remarries before the youngest child of the deceased member has attained age eighteen, then to his child or children under such age, divided in such manner as the board in its discretion shall determine, to continue as a joint and survivorship state annuity for the benefit of such child or children under said age until every child dies or attains said age; or if there is no widow or child under age eighteen living at the death of the member, then to his dependent father or dependent mother as the board shall determine, to continue for life; or if the deceased member is a female, the foregoing benefits shall be payable to her children or dependent parents only in like manner and amount; provided that if none of the aforementioned beneficiaries is living at the death of the member no benefit shall be payable under the provisions of this section.

(b) Upon the accidental death of a group II member the amount of the state annuity payable shall be equal to fifty per cent of the member's annual rate of earnable compensation at the date of his death.

III. Workmen's Compensation. Notwithstanding the foregoing provisions of this section, any amounts which may be paid or payable under the provisions of any workmen's compensation or similar law on account of the death of any member shall, in such manner as the board of trustees shall determine, be offset against and payable in lieu of any state annuity payable under the provisions of this section on account of the same death. Any amounts offset above shall not include compensation received to pay hospital or medical bills under any private annuity or disability insurance plan.

**100-A:9 Ordinary Death Benefit — Group II Members.** Upon receipt by the board of trustees of proper proof of the death of a group II member in service indicating that such death was not the result of an accident occurring while in the performance of duty, there shall be payable to his surviving widow until her remarriage or prior death, provided that at the time of his death the member was eligible for service retirement, an allowance equal to fifty per cent of the service retirement allowance that would have been payable to the member had he retired immediately prior to his death, based on his average final compensation and creditable service at that time. If, at the time of his death, the group II member in service was not eligible for service retirement or, being so eligible, was not survived by a widow, there shall be paid to the person nominated by the member by written designation filed with the board, in addition to the amount payable under section 11, a lump sum equal to the greater of either: (a) three thousand six hundred dollars, or (b) an amount which is equal to the deceased member's annual earnable compensation at the time of his death.

**100-A:10 Vested Deferred Retirement Benefit.**

I. Group I Members.

(a) A group I member who has completed fifteen years of creditable service and who, for reasons other than retirement or death, ceases to be an employee or teacher may elect, in lieu of the refund of his accumulated contributions under section 11, on a form prescribed by the board of trustees for such purpose, to receive a vested deferred retirement allowance.

(b) Upon his attainment of age sixty, a group I member who has made such election shall receive a vested deferred retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of his accumulated contributions on the date he attains age sixty; and (2) A state annuity which, together with his member annuity, shall be equal to the service retirement allowance that would be payable to him after his attainment of age sixty-five on the basis of his average final compensation and creditable service at the time his service is terminated.

## II. Group II Members.

(a) A group II member who has completed fifteen years of creditable service and who, for reasons other than retirement or death, ceases to be a permanent policeman or permanent fireman may elect, in lieu of the refund of his accumulated contributions under section 11, on a form prescribed by the board of trustees for such purpose, to receive a vested deferred retirement allowance.

(b) Upon his attainment of age fifty, provided he would then have completed twenty-five years of creditable service, otherwise the subsequent date on which such twenty-five years would have been completed, a group II member who has made such election shall commence to receive a vested deferred retirement allowance which shall consist of: (1) A member annuity which shall be the actuarial equivalent of his accumulated contributions on the date his retirement allowance commences; and (2) A state annuity which, together with his member annuity, shall be equal to a service retirement allowance based on the member's average final compensation and creditable service at the time his service is terminated.

### **100-A:11 Return of Members' Contributions.**

#### I. Group I Members.

(a) If a group I member ceases to be an employee or teacher for reasons other than retirement or death and if he has not elected to receive a vested deferred retirement allowance under section 10, the amount of his accumulated contributions shall be paid to him within two months after his written request therefor. If a group I member ceases to be a member because of absence from service for more than six years in any period of seven consecutive years after last becoming a member, his accumulated contributions shall be paid to him within two months after the board is notified to that effect.

(b) Upon the death of a group I member, the amount of his accumulated contributions shall be paid to the person or persons, if any, nominated by him, if living, otherwise to the member's estate.

(c) Upon the death of a group I member who has elected, pursuant to section 10, to receive a vested deferred retirement allowance before his attainment of age sixty, the amount of his accumulated contributions at the time of his death shall be paid to the person or persons, if any, nominated by him, if living, otherwise to the member's estate.

#### II. Group II Members.

(a) If a group II member ceases to be a permanent policeman or permanent fireman for reasons other than retirement or death and if he has not elected to receive a vested deferred retirement allowance under section 10, the amount of his accumulated contributions shall be paid to him within two months after his written request therefor. If a group II

member ceases to be a member because of absence from service for more than six years in any period of seven consecutive years after last becoming a member, his accumulated contributions shall be paid to him within two months after the board is notified to that effect.

(b) Upon the death of a group II member in service as a result of causes other than those which meet the requirements for an accidental death benefit as set forth in section 8 and if, at the time of his death, he is not eligible for service retirement or, being so eligible, is not survived by a widow, the amount of his accumulated contributions shall be paid to the person or persons nominated by him, if living, otherwise to the member's estate. Upon the death of a group II member in service under circumstances which meet the requirements for an accidental death benefit as set forth in section 8, the amount of his accumulated contributions shall be paid to the person or persons nominated by the member, if living, otherwise to the member's estate.

(c) Upon the death of a group II member who has elected, pursuant to section 10, to receive a vested deferred retirement allowance before his retirement allowance commences, the amount of his accumulated contributions at the time of his death shall be paid to the person or persons, if any, nominated by him, if living, otherwise to the member's estate.

(d) Upon the death of the survivor of a retired group II member who is in receipt of an accidental disability retirement allowance pursuant to section 6 and his widow in receipt of an allowance pursuant to section 12, any excess of the retired member's accumulated contributions at retirement over the sum of the retirement allowance payments received by such retired member and his widow shall be paid to the person nominated by the member, if living, otherwise to the estate of the last to survive of the retired member and such widow.

(e) Upon the death of a retired group II member after his retirement allowance payments have commenced, provided he has not elected an optional allowance that has become effective, any excess of the amount of his accumulated contributions at retirement over the sum of the retirement allowance payments received shall be paid in one sum to the person or persons nominated by the member, if living, otherwise to the member's estate. Upon the death of the survivor of a retired group II member and the beneficiary nominated by him under the terms of an option, if an option was elected and had become effective, any excess of the retired member's accumulated contributions at retirement over the sum of the retirement allowance payments received by the retired member and such beneficiary shall be paid to the person nominated by the member, if living, otherwise to the estate of the last to survive of the member and such beneficiary. Nomination of a person to receive the return of the member's contributions pursuant to this section shall be made by the member in writing filed with the board of trustees. A member

may change his nomination by a similar writing. A designation, revocation or change of the person nominated under an optional election may be made only as provided in section 13.

**100-A:12 Benefits Upon Member's Death After Retirement — Group II Members.** Upon the death of a retired group II member after his retirement allowance payments have commenced, there shall be paid to the person nominated by the member by written designation filed with the board, if living, otherwise to the retired member's estate, in addition to the amount payable under section 11 a lump sum of three thousand six hundred dollars; provided, however, that if said retired member was, prior to his death, in receipt of an accidental disability retirement allowance there shall be paid to his widow, if surviving, in lieu of such lump sum payment, an allowance to continue until her death or remarriage equal to fifty per cent of the accidental disability retirement allowance payable to the retired member prior to his death.

**100-A:13 Optional Allowances.** At least thirty days prior to his retirement, any member may elect to convert the retirement allowance otherwise payable on his account after retirement into a retirement allowance of equivalent actuarial value under one of the options named below, which election shall become effective on his date of retirement; provided, however, that no election of an optional benefit shall become effective until sixty days after the date of filing of the election thereof with the retirement board, or until sixty days after retirement, whichever is later, excepting that if the member so electing dies before the expiration of said sixty days, the election shall become effective as of the date of his death. A group II member may only elect either option 2 or option 3 below.

Option 1. A reduced retirement allowance payable during the retired member's life, with the provision that at his death a lump sum equal in amount to the difference between his accumulated contributions at the time of his retirement and the sum of the member annuity payments made to him during his lifetime shall be paid to the person, if any, nominated by him by written designation duly acknowledged and filed with the board of trustees if such person survives him, otherwise to the retired member's estate.

Option 2. A reduced retirement allowance payable during the retired member's life, with the provision that it shall continue after his death for the life of, and to, the beneficiary nominated by him by written designation duly acknowledged and filed with the board of trustees at the time of retirement.

Option 3. A reduced retirement allowance payable during the retired member's life, with the provision that it shall continue after his death at one-half the rate paid to him and be paid for the life of, and to,

the beneficiary nominated by him by written designation duly acknowledged and filed with the board of trustees at the time of retirement.

Option 4. A reduced retirement allowance payable during the retired member's life, with some other benefit payable after his death, provided that such other benefit shall be approved by the board of trustees.

#### **100-A:14 Administration.**

I. The administration of this system is vested in a board of eleven trustees. Three of the trustees shall be the state treasurer, the bank commissioner and the comptroller. The treasurer shall serve as chairman of said board of trustees and as chairman of each subcommittee. The remaining eight members of the board shall consist of two employees, two teachers, two permanent policemen, and two permanent firemen. The New Hampshire State Employees' Association, the New Hampshire Education Association, the New Hampshire Police Association, and the New Hampshire State Permanent Firemen's Association shall each annually nominate from their members a panel of five persons, all of whom shall be members of the retirement system, no later than May 31 of each year, and the panels so named shall be filed with the secretary of state no later than June 10 of each year. From each of the above named panels the governor, with the approval of the council, shall originally appoint two persons, and thereafter one annually to the board. Members appointed to the board in the manner aforesaid shall serve for a term of two years, except that the original appointments of one of the persons from each panel shall be for a term of one year. Each member so appointed shall hold office until his successor shall be appointed and qualified. Whenever a vacancy occurs, the governor and council shall fill the vacancy by appointing a member who shall serve for the unexpired term from the same panel from which the former member was appointed.

The treasurer and the four group I members shall constitute one subcommittee and the treasurer and the four group II members shall constitute another subcommittee. Each subcommittee shall, relative to the members of their respective group, consider policy problems and make recommendations relative to the same to the board of trustees and consider and make recommendations to the board of trustees concerning applications under the provisions of 100-A:6. Four members of a subcommittee shall constitute a quorum for the transaction of any business.

II. The board of trustees shall establish such rules and regulations as it deems necessary for the proper administration of this chapter.

III. The members of the board of trustees shall serve without compensation but shall be reimbursed for actual and necessary travelling and other expenses and disbursements incurred or made by them in the discharge of their official duties.

IV. Each trustee shall be entitled to one vote in the board of trustees. Six trustees shall constitute a quorum for the transaction of any business. Six votes shall be necessary for any resolution or action by the board at any meeting.

V. The board of trustees may employ, under the provisions of RSA 98, a secretary and such other assistants as may be necessary. It may engage such actuarial, medical, and like services as may be required to transact the business of the retirement system. The compensation for such special services, and all other expenses of the board necessary hereto, shall be paid at such rates and in such amounts as the board shall approve.

VI. The board of trustees shall keep in convenient form such data as may be necessary for actuarial valuation of the various funds of the retirement system and for checking the experience of the system.

VII. The board of trustees shall keep a record of all its proceedings. It shall annually make a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of the accumulated cash and securities of the system and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the system, and shall file the same with the secretary of state.

VIII. Immediately after the establishment of the retirement system, the board of trustees shall adopt mortality and service tables for use in all calculations in connection with the system, and shall certify the rates of contribution payable under the provisions hereof. The board of trustees shall also determine from time to time the rate or rates of regular interest for use in all calculations, except as otherwise provided, with the rate of four per cent per annum compounded annually applicable from the date of establishment until changed by the board.

IX. In 1970, and at least once in each five-year period thereafter, the board shall have an actuary make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the retirement system, and a valuation of the assets and liabilities of its funds, and taking into account the result of such investigation and valuation, the board shall adopt such mortality, service and other tables as shall be deemed necessary, and certify the rates of contribution payable under the provisions of this chapter. Commencing in the year 1971, and at two-year intervals thereafter, the board shall report to the legislature by January 15 on the status of the system and the desirability of any change including a change in rates for members and employers on the basis of the then accumulated experience of the system.

X. On the basis of regular interest and the tables last adopted by the board of trustees, the board shall have an actuary make annual valua-



tions of the contingent assets and liabilities of the funds of the retirement system.

#### **100-A:15 Management of Funds.**

I. The members of the board of trustees shall be the trustees of the several funds created hereby. The state treasurer shall upon recommendation of the board have full power to invest and reinvest such funds, subject to all the terms, conditions, limitations, and restrictions imposed by the laws of the state of New Hampshire upon domestic life insurance companies in the making and disposing of their investments, and further may upon recommendation of the board invest and reinvest such funds in shares of cooperative banks and building and loan associations existing under the laws of this state and of federal savings and loan associations located in this state, and may upon recommendation of the board make deposits in savings banks or trust companies or in national banks and subject to like terms, conditions, limitations, and restrictions, said trustees shall have full power to hold, purchase, sell, assign, transfer, and dispose of any of the securities and investments in which any of the funds created hereby have been invested, as well as the proceeds of such investments. The board of trustees shall have authority to hire investment counsel. The state treasurer shall be the custodian of the several funds of the retirement system.

II. For the purpose of meeting disbursements for state annuities, member annuities, and other payments, there may be kept available cash, not exceeding ten per cent of the total amount in the funds of the retirement system, on deposit in one or more banks or trust companies in the state, organized under the laws of the state or of the United States; provided that the sum on deposit in any one bank or trust company shall not exceed the sum of the paid-up capital and surplus of such bank or trust company.

III. Except as otherwise herein provided, no trustee and no employee of the board of trustees shall have any personal interest in the gains or profits of any investment made by the board; nor shall any trustee or employee of the board, directly or indirectly, for himself or as an agent, in any manner use the same except to make such current and necessary payments as are authorized by the board; nor shall any trustee or employee of the board become an endorser or surety, or in any manner an obligor, for money loaned to or borrowed from the board.

**100-A:16 Method of Financing.** All of the assets of the retirement system shall be credited, according to the purpose for which they are held, between two funds, namely, the member annuity savings fund and the state annuity accumulation fund. Each of the funds shall be subdivided on account of the various member classifications.

## I. Member Annuity Savings Fund.

(a) The member annuity savings fund shall be a fund in which shall be accumulated the contributions deducted from the compensation of members to provide for their member annuities together with any amounts transferred thereto from a similar fund under one or more of the predecessor systems. Such contribution shall be, for each member, dependent upon its employment classification at the rate determined in accordance with the following table.

Age When Contributions Begin	EMPLOYEES		TEACHERS		Permanent Policemen and Firemen
	Men	Women	Men	Women	
20	7.50%	8.95%	7.95%	9.20%	8.35%
21	7.50	8.95	7.95	9.20	8.50
22	7.50	8.95	7.95	9.20	8.70
23	7.50	8.95	7.95	9.20	8.90
24	7.50	8.95	7.95	9.20	9.10
25	7.50	8.95	7.95	9.20	9.30
26	7.50	8.95	7.95	9.20	9.00
27	7.50	8.95	7.95	9.20	8.75
28	7.55	9.00	8.00	9.25	8.50
29	7.55	9.05	8.00	9.25	8.25
30	7.60	9.05	8.05	9.30	8.00
31	7.65	9.10	8.10	9.35	7.75
32	7.65	9.15	8.15	9.40	7.50
33	7.70	9.20	8.20	9.45	7.25
34	7.75	9.25	8.25	9.50	7.00
35	7.80	9.30	8.30	9.55	6.80
36	7.85	9.40	8.35	9.60	6.55
37	7.90	9.45	8.40	9.70	6.30
38	8.00	9.50	8.50	9.75	6.10
39	8.05	9.60	8.55	9.85	5.90
40	8.10	9.70	8.60	9.90	5.70
41	8.20	9.80	8.70	10.00	5.75
42	8.25	9.85	8.75	10.10	5.80
43	8.30	9.95	8.80	10.20	5.85
44	8.40	10.05	8.90	10.25	5.95
45	8.45	10.10	9.00	10.35	6.05
46	8.55	10.20	9.05	10.45	6.15
47	8.60	10.30	9.15	10.55	6.20
48	8.70	10.40	9.25	10.65	6.30
49	8.80	10.50	9.35	10.75	6.35
50	8.90	10.60	9.45	10.85	6.45
51	9.00	10.70	9.55	11.00	6.55

52	9.05	10.80	9.65	11.10	6.60
53	9.15	10.95	9.75	11.20	6.70
54	9.25	11.05	9.85	11.35	6.75
55	9.35	11.20	9.95	11.45	6.85
56	9.45	11.30	10.00	11.60	6.95
57	9.55	11.40	10.15	11.70	7.00
58	9.65	11.55	10.25	11.80	7.10
59	9.75	11.65	10.35	11.95	7.20
60	9.75	11.65	10.35	11.95	7.30
61	9.75	11.65	10.35	11.95	7.40
62	9.75	11.65	10.35	11.95	7.50
63	9.75	11.65	10.35	11.95	7.60
64 and over	9.75	11.65	10.35	11.95	7.70

As used in the foregoing table, the words "age when contributions begin" shall mean the age of the member when he last became a member of the system, or in the case of a member who was a member of or a participant in one of the predecessor systems, his age when he last became a member of or participant in said predecessor system; provided, however, that he has continued his membership unbroken from such last date. With respect to the rates listed in the foregoing table for employees and teachers, the percentages are applicable to that portion of earnable compensation in excess of the maximum amount of taxable wages under the Federal Insurance Contributions Act, as from time to time in effect, with one-half of such rate being applicable to that portion of earnable compensation which is not in excess of such amount.

The board of trustees shall certify to the proper authority or officer responsible for making up the payroll of each employer, and such authority or officer shall cause to be deducted from the compensation of each member, on each and every payroll of such employer for each and every payroll period, the percentage of earnable compensation applicable to such member. In determining the amount earnable by a member in a payroll period, the board may consider the rate of compensation payable to such member on the first day of a payroll period as continuing throughout the payroll period and it may omit deduction from compensation for any period less than a full payroll period if such person was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed one-tenth of one per cent of the annual earnable compensation upon the basis of which such deduction is made. The amounts deducted shall be reported to the board of trustees. Each of such amounts, when deducted, shall be paid to the retirement system at such times as may be designated by the board of trustees and credited to the individual account, in the member annuity savings fund, of the member from whose compensation the deduction was made.

(b) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions herein provided as a condition of his membership.

(c) In addition to the contributions deducted from the compensation of members as hereinbefore provided, and subject to the approval of the board of trustees and to such rules and regulations as the board may make with respect to the crediting of interest thereon, any member may provide an additional retirement allowance by making contributions at an additional rate not in excess of the rate computed to be sufficient to provide an additional retirement allowance which, together with his regular retirement allowance, will result in a total retirement allowance not in excess of fifty per cent of his average final compensation. Such additional contributions shall become part of his accumulated contributions except in the case of retirement, when they shall be treated as excess contributions returnable to the member in cash or as a member annuity of equivalent actuarial value.

(d) The accumulated contributions of a member withdrawn by him, or paid to his estate or to his designated beneficiary in event of his death in service, shall be paid from the member annuity savings fund. Upon the retirement of a member, his accumulated contributions shall be transferred from the member annuity savings fund to the state annuity accumulation fund.

## II. State Annuity Accumulation Fund.

(a) The state annuity accumulation fund shall be the fund in which shall be accumulated all reserves for the payment of all state annuities payable from contributions made by employers, any amounts transferred thereto from a similar fund under one or more of the predecessor systems, amounts transferred from the member annuity savings fund, and all amounts paid to the system by or on account of call, substitute, or volunteer firemen and from which shall be paid all benefits payable under the system other than those payable from the member annuity savings fund.

(b) At the beginning of each fiscal year the board of trustees shall assess upon the various counties, cities, towns, villages or precincts in the state employing group II members, and upon the state for the group II members in its employ, six per cent of the earnable compensation of such group II members in such county, city, town, village or precinct, or the state, provided that if the board finds that all assessments made under the provisions of this chapter together with the annual appropriation by the state, as hereinafter provided, will not be sufficient to keep this retirement system in a sound financial condition, the board may assess such further sums against said counties, cities, towns, villages and pre-

cincts, and the state, as, in the judgement of the board, may be necessary for said purpose. It shall be the duty of the treasurer or other disbursing officer of said employer to pay to the board of trustees the sum assessed against said county, city, town, village or precinct, and said county, city, town, village or precinct is hereby authorized and directed to appropriate the sums necessary for said assessment.

(c) The contributions of each employer for benefits under the retirement system on account of group I members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution", and an additional amount to be known as the "accrued liability contribution"; provided that, in the case of teachers, any employer, other than the state, shall pay three-fifths of such total contributions, and two-fifths thereof shall be paid by the state; and provided further that in case of teacher members employed by the state the state shall pay both normal and accrued liability contributions. The contributions of the state for benefits under the retirement system on account of group II members shall consist of a percentage of the earnable compensation of its members which, together with the assessments provided in paragraph (b) above, shall be known as the "normal contribution", and an additional amount to be known as the "accrued liability contribution". The rate per cent of such normal contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuation.

(d) Commencing with the date of establishment and until the amount of the unfunded accrued liability has been established, the board of trustees shall determine the percentage normal contribution rate on account of each member classification as the uniform and constant percentage of the earnable compensation of the average new entrant member which, if contributed on the basis of his earnable compensation throughout his entire period of active service, would be sufficient to provide for the payment of any state annuity payable on his account from contributions by the employer. Commencing with the valuation as of June 30, 1969, the percentage normal contribution rate shall be determined after each actuarial valuation as the rate per cent of the earnable compensation of all members obtained by deducting from the total liabilities of the state annuity accumulation fund on account of each member classification the amount of the unfunded accrued liability, the present value of future assessments, if any, under paragraph (b) above, and the total amount of the funds in hand to the credit of the respective member classifications in that fund and dividing the remainder by one per cent of the present value of future compensation of all members within the appropriate member classification. Until the actuarial valuation as of June 30, 1969 has been prepared, the normal contribution rate for employee members shall be three and two-tenths per cent, for teacher

members shall be three and one-half per cent, for permanent policemen members shall be one per cent, and for permanent firemen members shall be one per cent.

(e) Immediately following the actuarial valuation prepared as of June 30, 1968, the board shall have an actuary determine the amount of the unfunded accrued liability for each member classification as the amount of the total liabilities of the state annuity accumulation fund on account of such classification which is not dischargeable by the total of the funds in hand to the credit of the state annuity accumulation fund on account of such classification, the present value of future assessments, if any, under paragraph (b) above, and the aforesaid normal contributions to be made on account of the members in such classification during the remainder of their active service. The amount so determined with respect to each member classification shall be known as the "unfunded accrued liability" with respect to such classification. On the basis of each such unfunded accrued liability, the board shall have an actuary determine the level annual contribution required to discharge such amount over a period of twenty years from June 30, 1968.

(f) The total amount payable to the state annuity accumulation fund in each year on account of each member classification shall not be less than the normal contribution rate multiplied by the total compensation earnable by all members in such classification for such year, plus the amount of the accrued liability contribution necessary to liquidate the unfunded accrued liability on behalf of such classification as determined by the actuary under subsection (e) above.

(g) All interest and dividends earned on the funds of the retirement system shall be credited to the state annuity accumulation fund. The board of trustees annually shall allow interest at such rate or rates as it shall determine from time to time on the individual accounts of members in the member annuity savings fund and shall transfer such amounts from the state annuity accumulation fund.

### III. Employer Contributions.

(a) On or before the first day of October next preceding each regular session of the state legislature, the board of trustees shall certify to the state comptroller the amounts which will become due and payable by the state during the biennium next following to the retirement system and it shall be the duty of the comptroller in preparing the executive budget for each ensuing biennium to include in the budget the amounts so certified which amounts shall be appropriated by the legislature.

(b) A county, city, town, school district or other political subdivision of the state having any employee members who are paid directly by the state but for whom the state is later reimbursed for the part of their compensation not chargeable to state funds shall likewise reimburse

the state for that part of the contribution made by the state to this system which is based on such part of compensation not chargeable to state funds.

(c) At the beginning of each year commencing on the first day of July the board of trustees shall certify to each employer other than the state the percentage rates of contribution due the system from each such employer, and shall assess upon each such employer such percentages of the earnable compensation of members in its employ, and it shall be the duty of the treasurer or other disbursing officer of each such employer to pay to the board of trustees such portion of the annual amount so assessed at such times and in such manner as the board of trustees may prescribe. Each such employer is hereby authorized to appropriate the sums necessary for the payment of such assessments.

**IV. Authorized Deductions.** Notwithstanding any other provisions of this chapter, any member who makes application for benefits hereunder and who is at the time a member of the so-called Blue Cross-Blue Shield insurance plan may request that the monthly payments for such insurance be deducted from the benefit payments which he is to receive, and in such case said deduction shall be made from the sums due the member.

**100-A:17 Transfer of Funds.** Within sixty days following November 1, 1967, and May 1, 1968, the board of trustees shall certify the amount on deposit in the employee annuity savings fund of the Employees' Retirement System of the State of New Hampshire, the teacher annuity savings fund of the New Hampshire Teachers' Retirement System, and that portion of the amounts on deposit in the retirement funds established under the New Hampshire Policemen's Retirement System and the New Hampshire Permanent Firemen's Retirement System attributable to assessments from permanent policemen and permanent firemen, which, in each instance, are applicable to members of or participants in such systems who become members of this retirement system as of January 1, 1968 or July 1, 1968, respectively, and such amount, in each instance, shall be transferred to the credit of the member annuity savings fund of this system. On or before July 1, 1969, the actuary shall certify to the board, on the basis of actuarial valuations as of June 30, 1968, the amount on deposit in the respective state annuity accumulation funds and the balance on deposit in the respective retirement funds, which, in each instance, are applicable to such persons, and such amount, in each instance, shall be transferred to the credit of the state annuity accumulation fund of this system within ninety days after receipt of such certification.

**100-A:18 Transfer of Classification.**

**I.** Any person who is a member of the retirement system may transfer his classification as defined in section 5 of this chapter to the other

classification, as therein defined, upon accepting office or employment which makes it possible or mandatory for him to participate in such other classification and if such acceptance of office or employment would make it impossible for him to continue in his former classification.

II. Any such person desiring to transfer his classification shall notify the board of trustees, prior to or at the time of his change of employment status, of his intention to change his classification and shall request that the board note such change on its records. Upon his entry into the other classification he shall receive service credit in such classification for all service rendered prior to such transfer for which he was entitled to credit in his former classification provided that the amount of the accumulated contributions to his credit under such former classification is equal to the accumulated value of the contributions which he would have made had he been in the new classification since he last became a member of this system or of one or more of the predecessor systems, as the case may be. If his accumulated contributions are less than such accumulated value, he may make up the difference, or he may make no payment and receive a reduction of equivalent actuarial value in his retirement allowance. If his accumulated contributions are greater than such accumulated value, the amount of the excess shall be returned to him or considered as additional contributions under section 16.

III. Upon transferring to such other classification, a member shall thereafter be eligible for such benefits or annuities as are provided by law under such classification including the credits for previous service in the classification from which he has transferred as provided in subsection II of this section; provided, however, that if he retires on a retirement allowance under the new classification within five years after such transfer, the benefits or annuities payable with respect to the service credited under the classification from which the transfer was made shall not be greater than those which would have been payable with respect to such service had he remained in such classification.

#### **100-A:19 Call, Substitute or Volunteer Firemen.**

I. Call, substitute, or volunteer firemen to be eligible for the benefits hereinafter set forth must be accepted by their respective city, town, precinct or organized volunteer company. All call, substitute, or volunteer firemen who desire the benefits of this section shall make application to the board of trustees and pay the sum of six dollars per year, said amount to be paid in one sum, and shall give notice of their application for the benefits hereof to the treasurer or other disbursing officer of the city, town or precinct which employs them. The chief, clerk or other responsible officer of a fire company whose members have applied for the benefits of this section shall forward to the secretary of the board, on a form approved by the board, the number and the names of such mem-



bers as of July first of every year and shall also notify the board of any dismissals, resignations or deaths during the year of any of its members who were eligible for the benefits hereof. New members of such fire companies applying for the benefits of this section during the fiscal year, who are not replacing former members of their company who had applied for benefits hereunder shall be assessed the full amounts as set forth above, if their applications are received on or before December thirty-first of any year, but their eligibility for the benefits hereunder shall extend only to June thirtieth of the following year or to the beginning of the new fiscal year. All new members of such fire companies, who are not replacing former members during the fiscal year and whose applications are received on or after January first of any year shall be assessed one-half the amount set forth above and shall be eligible for the benefits hereof only to June thirtieth of the same year or to the beginning of the new fiscal year. Members of such fire companies who, during the fiscal year, are replacing members who had applied for the benefits of this section but who are no longer members of the fire company, shall not be assessed, but shall be entitled to the benefits hereof to June thirtieth of the same fiscal year for which the member whom they are replacing was eligible. All assessments from call, substitute, or volunteer firemen, for any fiscal year beginning July first to June thirtieth of the following year, shall be paid on or before June thirtieth of that fiscal year in which application or renewal of application is received by the board; with the exception that, in case of total and permanent disability or accidental death of any member of a fire company who has made application for the benefits of this section, benefits accruing to such member or to his beneficiary shall not be paid until his assessment for that fiscal year has first been received by the board.

II. Upon the application of a call, substitute or volunteer fireman who is eligible for benefits under this section, and who has become totally and permanently incapacitated as the natural and proximate result of an injury received while in the actual performance of fire duty at some definite time and place, without wilful negligence on his part, such fireman shall receive an annual allowance not to exceed one thousand two hundred fifty dollars; provided he is found to be mentally or physically incapacitated for employment and that such incapacity is likely to be permanent. The fact of such fireman's permanent disability shall be established in a manner similar to that employed for determining the eligibility of a member for an accidental disability allowance under section 6 of this chapter, and, after the commencement of such allowance, said fireman shall be subject to the provisions of subsection III of said section 6, as if the same were part of this section.

III. If, upon the receipt by the board of trustees of proper proof of the death of a call, substitute, or volunteer fireman who was eligible for benefits under this section indicating that such death was the natural

and proximate result of an injury received while in the actual performance of fire duty at some definite time and place, the board decides that death was the result of an accident in the performance of fire duty and was not caused by wilful negligence on the part of such fireman, an annual allowance equal to the allowance payable to the fireman on his becoming totally and permanently disabled, as set forth in subsection II above, shall be payable to his widow, to continue during her widowhood; or if there is no widow, or if the widow dies or remarries before the youngest child of the deceased fireman has attained age eighteen, then to his child or children under such age, divided in such manner as the board in its discretion shall determine, to continue as a joint and survivorship allowance for the benefit of such child or children under said age until every child dies or attains said age; or if there is no widow or child under age eighteen living at the death of the fireman, then to his dependent father or dependent mother as the board shall determine, to continue for life; provided that if none of the aforementioned beneficiaries is living at the death of the fireman no benefit shall be payable under the provisions of this subsection.

IV. For purposes of this section, firemen shall be acknowledged as performing their fire duties when they are going to, returning from, or working at a fire or other public emergency; when performing all work within the scope of employment of the fireman under the expressed or implied authority of a superior officer; and in such other cases as the board may from time to time decide to be for the public interest.

V. In the case of a call, substitute or volunteer fireman in receipt of an allowance under subsection II above as the result of a disability received in line of fire duty, who dies while in receipt of such allowance as the result of such injury received in the performance of fire duty, the payment of such allowance shall continue to his widow until she dies or remarries, or to his child or children until each reaches the age of eighteen years.

### **Participation by Certain Employees of Political Subdivisions**

#### **100-A:20 General Conditions for Participation.**

I. The governing board of any county, city, town, school district or other political subdivision of the state may, by resolution legally adopted, in form approved by the board of trustees, elect to have its officers and employees become eligible to participate in the retirement system. After such election, such body shall be known as an employer for purposes of this chapter. The board of trustees shall set the date when the participation of the officers and employees of any employer shall become effective, and then such officers and employees may become members and participate herein, as provided in this subdivision. Notwithstand-

ing anything to the contrary, employees of any employer who are members of one or more of the predecessor systems and who have not elected, pursuant to section 3, to become members shall not be entitled to become members; and employees who are members of any local retirement system other than a local retirement system for teachers shall be entitled to become members only as provided in section 21. "Local retirement system" for purposes of this subdivision shall mean any retirement system or other arrangement for the payment of retirement benefits in existence at the time of passage of this act, which is supported wholly or in part by public funds, exclusive of the predecessor systems as defined in section 1.

II. Any governing board, as aforesaid, or authority which pursuant to either RSA 100:29 or 30 of the Employees' Retirement System of the State of New Hampshire elected to have its officers and employees become eligible to participate in that system and became an employer, as therein defined, shall, by virtue of said election become an employer as herein defined. Any members of that system, in the employ of such political subdivision or authority who, pursuant to the terms of section 3, elect to become members of this system as of January 1, 1968 or July 1, 1968, shall have the shares credited to their account in the employee annuity savings fund and the state annuity accumulation fund of said employees' retirement system transferred to the member annuity savings fund and the state annuity accumulation fund of the retirement system, respectively, in accordance with the provisions of section 16. Thereafter, all contributions on behalf of such members shall be made by such employer and member to the retirement system.

#### **100-A:21 Participation of Members of Local Retirement Systems.**

I. Should a majority of the members of any local retirement system elect to become members of the retirement system, by a petition duly signed by such members, and should their employer elect to have them participate by resolution legally adopted in form approved by the board of trustees of the retirement system, such employees shall participate in the retirement system as though such local retirement system were not in operation. The retirement allowances being paid by the local retirement system on the date such participation in the retirement system becomes effective shall be continued and paid at their existing rates by the retirement system and the liability on this account shall be included in the computation of the accrued liability contribution payable by the employer as provided by section 24. Any cash and securities to the credit of the local retirement system shall be transferred to the retirement system as of the date participation begins. The trustees or other administrative head of the local retirement system as of the date of participation shall certify the proportion of any of the funds of the local retirement system that represents the accumulated contributions of the members and the relative shares of the members as of that date. Such shares shall

be credited to the respective annuity savings account of such members in the retirement system as additional contributions. The balance of the funds transferred to the retirement system shall be offset against the accrued liability before determining the special accrued liability contribution to be paid by the employer as provided by section 24. The operation of the local retirement system shall be discontinued as of the date participation becomes effective in the retirement system.

II. Any members of any local retirement system who, pursuant to the provisions of RSA 100:33 of the Employees' Retirement System of the State of New Hampshire, elected to become members of said system and who, pursuant to the terms of section 3, elect to become members of the retirement system as of January 1, 1968 or July 1, 1968, shall have the shares credited to their account in the employee annuity savings fund and the state annuity accumulation fund of said Employees' Retirement System transferred to the member annuity savings fund and the state annuity accumulation fund of the retirement system respectively in accordance with the provisions of section 16. The employer of those members who so elect shall become an employer for purposes of the retirement system and thereafter all contributions on behalf of such members shall be made by such employer and member to the retirement system.

**100-A:22 Modifications.** Membership in the retirement system shall be optional for officers and employees of the employer who are in the service of the employer on the date when participation becomes effective, and any such officer or employee who elects to join the retirement system within one year thereafter shall be credited with prior service covering such periods of prior service rendered to such employer for which the employer is willing to make accrued liability contributions. Thereafter, service for such employer on account of which contributions are made by the employer and member shall also be considered as creditable service. Membership shall be compulsory for all employees entering the service of such employer after the date participation becomes effective. The chief fiscal officer of the employer, and the heads of its departments, shall submit to the board of trustees such information and shall cause to be performed with respect to the employees of such employer, who are members of the retirement system, such duties as shall be prescribed by the board of trustees in order to carry out the provisions of this chapter.

**100-A:23 Benefits.**

I. Employees who become members of the retirement system under the provisions of sections 20 through 22 and on behalf of whom contributions are paid as provided herein shall be entitled to benefits under the retirement system as though they were state employees, except that on or after five years from the date when participation becomes effective any such member in service who attained or who has attained age seventy, except an elected official, shall be retired forthwith or on the first day

of the next calendar month, unless an extension of service is granted by vote of the governing body.

II. Notwithstanding the provisions of this section, any allowance or benefit provided for under this chapter which is computed by reference to the member's primary insurance amount or the survivor's insurance benefit shall not be payable with respect to a member whose service performed in the employ of the subdivision at the time of his retirement was not covered under an agreement between the state and the Secretary of Health, Education, and Welfare made under the provisions of RSA Chapter 101.

#### **100-A:24 Contributions.**

I. Employees who have become members of the retirement system under the provisions of this subdivision shall contribute at the same rates of contribution and on the same basis as state employees.

II. Employers whose employees become members of the retirement system under the provisions of this subdivision shall make contributions in behalf of their employees corresponding to the contributions which the state makes in behalf of state employees, except that each employer shall make a special accrued liability contribution, which shall be determined by an actuarial valuation of the accrued liability on account of the employees of such employer who elect to become members, in the same way as the accrued liability contribution is determined for state employees. The accrued liability contribution, as so determined, shall be payable by each employer in lieu of the accrued liability contribution payable by the state on account of state employees. The expense of making the valuation to determine the accrued liability upon which the annual contribution shall be based shall be assessed against and paid by the employer or employers on whose account the valuation is necessary.

III. The contributions payable by employers whose employees participate in the retirement system shall be certified by the board of trustees to the chief fiscal officer of the employer and shall include a pro rata share of the cost of administration of the retirement system based upon the payroll of the employees of the employer who are members. The amounts so certified shall be a charge against the employer. The chief fiscal officer of each such employer shall pay to the state treasurer the amount certified by the board of trustees as payable under the provisions of this subdivision, and the state treasurer shall credit such amounts to the appropriate funds of the retirement system.

IV. The agreement of any employer to contribute on account of its employees shall be irrevocable, but should an employer for any reason become financially unable to make the contributions payable on account of its employees as set forth in this subdivision, then such employer shall

be deemed to be in default. All members of the retirement system who were employees of such employer at the time of default shall thereupon be entitled to discontinue membership and to a refund of their previous contributions upon demand made within ninety days thereafter. As of a date ninety days following the date of such default, the board shall have an actuary determine by actuarial valuation the amount of the reserves held on account of each remaining active member and beneficiary of such employer and shall credit to each such member and beneficiary the amount of reserves so held. The reserves so credited, together with the amount of the accumulated contributions of each such active member, shall be used to provide for him a paid-up deferred annuity beginning at age sixty-five, and the reserve of each beneficiary shall be used in providing such part of his existing retirement allowance as the reserve so held will provide, which retirement allowance shall thereafter be payable to him. The rights and privileges of both active members and beneficiaries of such employer shall thereupon terminate, except as to the payment of the deferred annuity so provided and the retirement allowance, or parts thereof, provided for the beneficiaries.

**100-A:25 Limitation on Payments.** Notwithstanding anything to the contrary in this subdivision, the retirement system shall not be liable for the payment of any retirement allowance or other benefits on account of the employees or beneficiaries of any employer for which reserves have not been previously created from funds contributed by such employer, or its employees, for such benefits.

#### Miscellaneous

**100-A:26 Exemption From Taxation and Execution.** The right of a person to any benefit or to any other right accrued or accruing to any person under the provisions of this chapter, and the monies in the funds created hereby, shall be exempted from any state, county or municipal tax in the state, and shall not be subject to execution, trustee process, attachment or any other process whatsoever, legal or equitable, and shall be unassailable except as herein specifically provided.

**100-A:27 Protection Against Fraud.** Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of this retirement system in any attempt to defraud the system as a result of such act, shall be fined not more than five hundred dollars, or imprisoned not more than seven years, or both. Should any change or error in the records result in any member or beneficiary receiving from the system more or less than he would have been entitled to receive had the records been correct, the board of trustees shall have the power to correct such error, and to adjust as far as practicable the payments in such a manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

**100-A:28 Limitation on Membership.** This retirement system and the provisions hereof shall not apply to any person benefited by or entitled to participate under any other provisions of law which provides wholly or in part at the expense of the state or any other employer, for retirement benefits for employees, teachers, permanent policemen, and permanent firemen employed by the state or such other employer, their widows or other dependents, with respect to the same period of service for which they are eligible for benefits under the terms of this chapter. The provisions of this section shall not apply to any person participating in, or receiving or eligible to receive benefits under the old-age and survivors insurance provisions of Title II of the federal Social Security Act, as amended.

**134:2 Teachers' Retirement — Membership.** Amend RSA 192:3 by striking out paragraphs I and II and inserting in their place the following:

I. Any person who is a member of the retirement system established by this chapter on June 30, 1967 shall continue to be a member thereafter, unless on or before November 30, 1967 or May 1, 1968 he files with the board of trustees, on a form prescribed by the board, a notice of his election to become a member as of January 1, 1968 or July 1, 1968 of the New Hampshire Retirement System as provided by RSA 100-A:3, II., in which event his membership in this retirement system shall cease as of December 31, 1967 or June 30, 1968.

II. Any person who is not a member of the retirement system established by this chapter on July 1, 1967 or who becomes a teacher on or after that date shall not be eligible for membership in said retirement system.

Further amend said section by repealing paragraph III relative to temporary teachers or teachers who are only partly paid by the state being members.

**134:3 Teachers' Retirement — Board of Trustees.** Amend RSA 192:10 by striking out the same and inserting in place thereof the following: **192:10 Administration.** The administration of the retirement system established by this chapter is hereby vested in the board of trustees established by RSA 100-A:14 and it shall have with respect to this system all the rights, powers, duties, restrictions, and immunities it has with respect to the retirement system established by RSA 100-A.

**134:4 Teachers' Retirement — State Annuity Accumulation Fund.** Amend subparagraphs (b), (c), (d), and (e) of paragraph III of RSA 192:12 by striking them out and inserting in their places the following:

(b) The contributions of each employer for benefits under the retirement system shall consist of a percentage of the earnable compensa-

tion of its members to be known as the "normal contribution", and an additional amount to be known as the "accrued liability contribution"; provided that any employer, other than the state, shall pay three-fifths of such total contributions, and two-fifths thereof shall be paid by the state; provided further that in case of state employees the state shall pay both normal and accrued liability contributions. The rate per cent of such normal contribution shall be fixed on the basis of the liabilities of the system as shown by actuarial valuation.

(c) Immediately after making each valuation during the period over which the accrued liability contribution is payable, the board of trustees shall determine the percentage normal contribution rate as the uniform and constant percentage of the earnable compensation of the average new entrant member which, if contributed on the basis of his compensation throughout his entire period of active service would be sufficient to provide for the payment of any state annuity payable on his account from contributions by the employer. Commencing with the valuation as of June 30, 1969, the percentage normal contribution rate shall be determined after each actuarial valuation as the rate per cent of the earnable compensation of all members obtained by deducting from the total liabilities of the state annuity accumulation fund the amount of the unfunded accrued liability and the total amount of the funds in hand to the credit of that fund and dividing the remainder by one per cent of the present value of future compensation of all members.

(d) Immediately following the actuarial valuation prepared as of June 30, 1968, the actuary shall determine the amount of the unfunded accrued liability as the amount of the total liabilities of the state annuity accumulation fund which is not dischargeable by the total of the funds in hand to the credit of the state annuity accumulation fund and the aforesaid normal contributions made on account of such members during the remainder of their active service. The amount so determined shall be known as the "unfunded accrued liability". On the basis of such unfunded accrued liability, the actuary shall determine the level annual contribution required to discharge such amount over a period of twenty years from June 30, 1968.

(e) The total amount payable to the state annuity accumulation fund in each year shall not be less than the normal contribution rate multiplied by the total earnable compensation of all members in each such year, plus the amount of the annual accrued liability contribution necessary to liquidate the unfunded accrued liability as determined by the actuary under subsection (d) above.

**134:5 Teachers' Retirement — Transfer of Powers.** Amend RSA 192:20 by striking out the same and inserting in place thereof the following: **192:20 Transfer of Powers and Duties.** All powers and duties heretofore conferred by law upon the teachers' retirement board shall be



transferred to the board of trustees established by RSA 100-A:14, which board in addition to its other duties shall be charged with the administration of the retirement system established under chapter 136, Revised Laws.

**134:6 Employees' Retirement — Membership.** Amend RSA 100:3, as amended by 1955, 301, part IV:2, by striking out paragraphs I and II and inserting in their place the following:

I. Any person who is a member of the retirement system on June 30, 1967 shall continue to be a member thereafter, unless on or before November 30, 1967 or May 1, 1968 he files with the board of trustees, on a form prescribed by the board, a notice of his election to become a member as of January 1, 1968 or July 1, 1968 of the New Hampshire Retirement System as provided by RSA 100-A:3, II., in which event his membership in the retirement system shall cease as of December 31, 1967 or June 30, 1968.

II. Any person who is not a member of the retirement system established by this chapter on July 1, 1967 or who becomes an employee on or after that date shall not be eligible for membership in said retirement system.

Further amend said section by repealing paragraph III relative to temporary employees or employees who are only partly paid by the state being members.

**134:7 Repeal.** RSA 100:4 requiring court stenographers to become members of the employees' retirement system is hereby repealed.

**134:8 Employees' Retirement — Board of Trustees.** Amend RSA 100:12 by striking out the same and inserting in place thereof the following: **100:12 Administration.** I. The administration of the retirement system established by this chapter is hereby vested in the board of trustees established by RSA 100-A:14 and it shall have with respect to this system all the rights, powers, duties, restrictions, and immunities it has with respect to the retirement system established by RSA 100-A.

II. All retirement allowances shall be payable in equal monthly installments which shall cease with the last monthly payment prior to death.

**134:9 Employees' Retirement — State Annuity Accumulation Fund.** Amend subparagraphs (b), (c), (d), and (e) of paragraph III of RSA 100:14 by striking them out and inserting in their places the following:

(b) The contributions of the state for benefits under the retirement system shall consist of a percentage of the earnable compensation of members to be known as the "normal contribution", and an additional amount to be known as the "accrued liability contribution". The rate per cent

of such normal contribution shall be fixed on the basis of the liabilities of the system as shown by actuarial valuation.

(c) Immediately after making each valuation during the period over which the accrued liability contribution is payable, the board of trustees shall determine the percentage normal contribution rate as the uniform and constant percentage of the earnable compensation of the average new entrant member which, if contributed on the basis of his compensation throughout his entire period of active service would be sufficient to provide for the payment of any state annuity payable on his account from the contributions by the state. Commencing with the valuation as of June 30, 1969, the percentage normal contribution rate shall be determined after each actuarial valuation as the rate per cent of the earnable compensation of all members obtained by deducting from the total liabilities of the state annuity accumulation fund the amount of the unfunded accrued liability and the total amount of the funds in hand to the credit of that fund and dividing the remainder by one per cent of the present value of future compensation of all members.

(d) Immediately following the actuarial valuation prepared as of June 30, 1968, the actuary shall determine the amount of the unfunded accrued liability as the amount of the total liabilities of the state annuity accumulation which is not dischargeable by the total of the funds in hand to the credit of the state annuity accumulation fund and the aforesaid normal contributions made on account of such members during the remainder of their active service. The amount so determined shall be known as the "unfunded accrued liability". On the basis of such unfunded accrued liability, the actuary shall determine the level annual contribution required to discharge such amount over a period of twenty years from June 30, 1968.

(e) The total amount payable to the state annuity accumulation fund in each year shall not be less than the normal contribution rate multiplied by the total earnable compensation of all members in each such year, plus the amount of the annual accrued liability contribution necessary to liquidate the unfunded accrued liability as determined by the actuary under subsection (d) above.

**134:10 Employees' Retirement — Limitations.** Amend RSA 100:18 by striking out in lines two and three the words "entitled to participate" and inserting in place thereof the word (participating) so that said section as amended shall read as follows: **100:18 Limitation on Membership.** The retirement system and the provisions hereof shall not apply to any person benefited by or participating under any other provision of law which provides wholly or in part at the expense of the state or of any subdivision thereof, for retirement benefits for employees of the state, their widows, or other dependents. The provisions of this section shall not apply to any person participating in, or receiving or eligible to re-

ceive benefits under the old age and survivors insurance provisions of title II of the federal Social Security Act, as amended.

**134:11 Firemen's Retirement — Retirement Board.** Amend RSA 102:3 by striking out the same and inserting in place thereof the following: **102:3 Board of Trustees.** The administration of the retirement system established by this chapter is hereby vested in the board of trustees established by RSA 100-A:14 and it shall have with respect to this system all the rights, powers, duties, restrictions, and immunities it has with respect to the retirement system established by RSA 100-A and the word "board" or phrase "retirement board" when used in this chapter, unless a different meaning is plainly required by the context, shall mean said board of trustees.

**134:12 Firemen's Retirement — Membership.** Amend RSA 102:4 by striking out the same and inserting in place thereof the following: **102:4 Membership.** Any permanent fireman in this state who prior to July 1, 1967 accepted the provisions of this chapter shall continue to be entitled to the benefits of this system thereafter, unless on or before November 30, 1967 or May 1, 1968 he files with the board of trustees, on a form prescribed by the board, a notice of his election to become a member as of January 1, 1968 or July 1, 1968 of the New Hampshire Retirement System as provided by RSA 100-A:3, II., in which event his entitlement to the benefits provided under this system shall cease as of December 31, 1967 or June 30, 1968. Any permanent fireman who prior to July 1, 1967 did not accept the provisions of this chapter or any person who becomes a permanent fireman on or after that date shall be ineligible to make application to accept the provisions of this chapter and shall not be entitled to the benefits hereof.

**134:13 Firemen's Retirement — State's Contribution.** Amend RSA 102:11 by striking out the same and inserting in place thereof the following: **102:11 Contribution of State to Retirement Fund.** On account of each permanent fireman accepting the provisions of this chapter who does not, pursuant to section 4, elect to become a member as of January 1, 1968 of the New Hampshire Retirement System as established by RSA 100-A, there shall be appropriated annually by the state, for the purposes of this chapter, an amount which, together with the assessments provided in sections 9 and 10, shall be sufficient to meet the normal contribution and the accrued liability contribution. The normal contribution rate shall be determined as the uniform and constant percentage of the annual salary of the average new permanent fireman entering the system which, if contributed on the basis of his salary throughout his entire period of active service would be sufficient, together with the assessments provided in sections 9 and 10, to provide for the payment of any benefit payable on his account under this chapter. The accrued liability contribution shall be determined by the actuary as the amount necessary to

liquidate the unfunded accrued liability as of June 30, 1968 over a period of twenty years from that date. The unfunded accrued liability is the amount of the total liabilities of the system which is not dischargeable by the funds in hand, the assessments and the normal contribution. After the determination of the unfunded accrued liability as of June 30, 1968, the normal contribution shall be determined after each actuarial valuation as the rate per cent of the annual salary of each participating permanent fireman obtained by deducting from the total liabilities of the system the amount of the funds in hand, the present value of future assessments and the then current unfunded accrued liability and dividing the remainder by one per cent of the present value of the future salaries of all permanent firemen who are then participating in the system.

**134:14 Policemen's Retirement — Retirement Board.** Amend RSA 103:3 by striking out the same and inserting in place thereof the following: **103:3 Board of Trustees.** The administration of the retirement system established by this chapter is hereby vested in the board of trustees established by RSA 100-A:14 and it shall have with respect to this system all the rights, powers, duties, restrictions, and immunities it has with respect to the retirement system established by RSA 100-A and the word "board" or phrase "retirement board" when used in this chapter, unless a different meaning is plainly required by the context, shall mean said board of trustees.

**134:15 Policemen's Retirement — Membership.** Amend RSA 103:4 as amended by 1957, 50:1 by striking out the same and inserting in place thereof the following: **103:4 Membership.** Any permanent policeman in this state who prior to July 1, 1967 accepted the provisions of this chapter shall continue to be entitled to the benefits of this system thereafter, unless on or before November 30, 1967 or May 1, 1968 he files with the board of trustees, on a form prescribed by the board, a notice of his election to become a member as of January 1, 1968 or July 1, 1968 of the New Hampshire Retirement System as provided by RSA 100-A:3, II., in which event his entitlement to the benefits provided under this system shall cease as of December 31, 1967 or June 30, 1968. Any permanent policeman who prior to July 1, 1967 did not accept the provisions of this chapter or any person who becomes a permanent policeman on or after that date shall be ineligible to make application to accept the provisions of this chapter and shall not be entitled to the benefits hereof.

**134:16 Policemen's Retirement — State's Contribution.** Amend RSA 103:10 as amended by 1963, 238:3 by striking out the same and inserting in place thereof the following: **103:10 Contribution by State.** On account of each permanent policeman accepting the provisions of this chapter, who does not pursuant to section 4 elect to become a member as of January 1, 1968 or July 1, 1968 of the New Hampshire Retirement System as established by RSA 100-A, there shall be appropriated

annually by the state, for the purposes of this chapter, an amount which, together with the assessments provided in sections 7 and 9, shall be sufficient to meet the normal contribution and the accrued liability contribution. The normal contribution rate shall be determined as the uniform and constant percentage of the annual salary of the average new permanent policeman entering the system which, if contributed on the basis of his salary throughout his entire period of active service would be sufficient, together with the assessments provided in sections 7 and 9, to provide for the payment of any benefit payable on his account under this chapter. The accrued liability contribution shall be determined by the actuary as the amount necessary to liquidate the unfunded accrued liability as of June 30, 1968 over a period of twenty years from that date. The unfunded accrued liability is the amount of the total liabilities of the system which is not dischargeable by the funds in hand, the assessments and the normal contribution. After the determination of the unfunded accrued liability as of June 30, 1968, the normal contribution shall be determined after each actuarial valuation as the rate per cent of the annual salary of each participating permanent policeman obtained by deducting from the total liabilities of the system the amount of the funds in hand, the present value of future assessments and the then current unfunded accrued liability and dividing the remainder by one per cent of the present value of the future salaries of all permanent policemen who are then participating in the system.

**134:17 Boards and Terms of Office of Members Terminated.** The board of trustees of the state employees' retirement system, the permanent firemen's retirement board, the New Hampshire police retirement board, and the board of trustees of the teachers' retirement system are all hereby dissolved, terminated, and declared to be no longer in existence and the terms of office of all the members of all four boards are hereby terminated. The board of trustees of the New Hampshire retirement system established by RSA 100-A, as inserted by section 1 of this act, shall have all the rights, powers, duties, obligations, restrictions, and immunities which each of the above four boards had or would have had if they had not been dissolved and terminated.

**134:18 Transfer of Employees.** All employees of each of the boards of trustees existing pursuant to chapters 100, 102, 103, and 192 of RSA prior to the effective date of this act are hereby transferred to and made employees of the board of trustees established by RSA 100-A at no lower compensation and emoluments than they are receiving at the time of such transfer.

**134:19 Effective Date.** This act shall take effect July 1, 1967.

[Approved May 22, 1967.]

[Effective date July 1, 1967.]

**CHAPTER 135.**

AN ACT RELATIVE TO THE SALE AND USE OF ELECTRIC FENCE CONTROLLERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**135:1 Requirements.** Amend RSA 158 by inserting after section 25 the following new subdivision:

**Electric Fence Controllers**

**158:26 Sale and Use.** No person or individual shall sell, utilize, install or have installed within this state equipment, devices or methods whereby fence wires may be energized with electricity unless a standard type of controller is used which has the approval of the underwriters laboratories or the state fire marshal's office, or both. All existing fence controllers shall conform to the requirements of this section not later than one year from the effective date of this act. Enforcement of this act shall be the responsibility of the fire control board.

**158:27 Penalty.** Any violation of the provisions of section 26 shall be punished by a fine of not more than one hundred dollars.

**135:2 Effective Date.** This act shall take effect January 1, 1968.  
[Approved May 22, 1967.]  
[Effective date January 1, 1968.]

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**CHAPTER 136.**

AN ACT AMENDING THE COOPERATIVE SCHOOL LAW RELATIVE TO BUDGETS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**136:1 Budget Committee.** Amend paragraph I of RSA 195:12-a as inserted by 1961, 206:6 and amended by 1963, 258:10 by striking out the same and inserting in place thereof the following: I. Budget Committee. A cooperative school district at an annual meeting, under a proper article in the warrant, may vote to establish a budget committee and may rescind such action in a like manner. The budget committee shall have the same number of members as the cooperative district school board plus one additional member from the school board as hereinafter provided in this paragraph. The terms of office and manner of election of members shall be determined in the same manner as for the cooperative school board with at least one member from each pre-existing district. Whenever it is voted to establish a budget committee, the moderator in the first instance shall appoint the members thereof except for the additional member appointed from the school board within fifteen days of the vote estab-

lishing the committee. The members appointed by the moderator shall serve until the next annual meeting when the meeting shall elect their successors. No member of the cooperative school board shall be appointed or elected to the budget committee except that the chairman of the cooperative school board shall appoint a member of the board to serve on the budget committee with all the powers and duties of any other member of the committee. After appointment or election the budget committee shall promptly organize and choose a chairman, vice chairman, and secretary. The secretary shall keep records of the proceedings of the budget committee, which shall be public records open to public inspection. Vacancies on the budget committee shall be filled by appointment of the moderator within five days after the vacancy is called to his attention, or by the chairman of the cooperative school board if the vacancy is of the member appointed from the school board, within the same time limit.

**136:2 Cooperative School Budget.** Amend paragraph II of RSA 195:12-a as inserted by 1961, 206:6 and amended by 1963, 258:10 by adding at the end thereof the following: (and in so far as RSA 32 is applicable to the cooperative school budget), so that the paragraph as amended shall read as follows: II. Such cooperative school budget committee shall have the powers and duties of the municipal budget committee under the provisions of RSA 32 in so far as the budget for the cooperative school district is concerned and in so far as RSA 32 is applicable to the cooperative school budget.

**136:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 22, 1967.]

[Effective date July 21, 1967.]

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## CHAPTER 137.

AN ACT RELATIVE TO THE FIRST MEETING OF A COUNTY CONVENTION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**137:1 County Convention.** Amend RSA 24:9-a (supp) as inserted by 1961, 199:1 by striking out the words "at two o'clock in the afternoon" so that said section as amended shall read as follows: **24:9-a First Meeting.** The first meeting of the county convention shall be convened on the second Wednesday of each biennial session of the general court in the city or town where the house of representatives meets.

**137:2 Duty of Clerk of the House.** Amend RSA 24:9-b (supp) as inserted by 1961, 199:1 and amended by 1965, 330:17 by striking out said section and inserting in place thereof the following: **24:9-b — Notice.**

The clerk of the house of representatives shall fix the place for the first meeting of the county convention and shall print a notice of said first meeting in the journal of the house of representatives for two legislative days.

**137:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 22, 1967.]

[Effective date July 21, 1967.]

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## CHAPTER 138.

### AN ACT TO AUTHORIZE THE DESTRUCTION OF RECORDS IN DISTRICT AND MUNICIPAL COURTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**138:1 District Courts.** Amend RSA 502-A by inserting after section 27 (supp) as inserted by 1963, 331:1 the following new sections:

**502-A:27-a Destruction of Records.** At the end of ten years after final disposition by any district court of any criminal cases or any juvenile proceedings the clerk of such court, with the approval of the justice thereof, may destroy or cause to be destroyed any and all of the following original records: complaints, warrants, petitions and other process; returns, appearances, pleadings, motions, reports, orders and sentences; and at the end of twenty years after final disposition by such court of any civil cases may destroy or cause to be destroyed any and all of the following original records: writs, returns, small claims statements and other process; appearances, pleadings, motions, orders, verdicts and judgments.

**502-A:27-b Retention of Dockets.** The uniform docket and financial record shall be permanently bound by the clerk into volumes and these volumes together with all other permanently bound dockets shall be continuously maintained as the official record of each district court.

**138:2 Municipal Courts.** Amend RSA 502 by inserting after section 15 (supp) as amended by 1959, 4:1 the following new sections:

**502:15-a Destruction of Records.** At the end of ten years after final disposition by any municipal court of any criminal cases or any juvenile proceedings the clerk of such court, with the approval of the justice thereof, may destroy or cause to be destroyed any and all of the following original records: complaints, warrants, petitions and other process, returns, appearances, pleadings, motions, reports, orders and sentences; and at the end of twenty years after final disposition by such court of any civil cases may destroy or caused to be destroyed any and all of the



following original records: writs, returns, small claims, statements and other process; appearances, pleadings, motions, orders, verdicts and judgments.

**502:15-b Retention of Dockets.** The uniform docket and financial record shall be permanently bound by the clerk into volumes and these volumes together with all other permanently bound dockets shall be continuously maintained as the official record of each municipal court.

**138:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 22, 1967.]

[Effective date July 21, 1967.]

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## CHAPTER 139.

AN ACT RELATIVE TO TAXATION OF ELECTRIC PLANTS AND PIPELINES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**139:1 Property Taxable.** Amend RSA 72:8 by striking out said section and inserting in place thereof the following:

**72:8 Electric Plants and Pipe Lines.** Structures, machinery, dynamos, apparatus, poles, wires, fixtures of all kinds and descriptions, and pipe lines owned by a person or corporation operating as a public utility as defined in RSA 362:2 generating, producing, supplying and distributing electric power or light, or in transporting natural gas, crude petroleum and refined petroleum products or combinations thereof, shall be taxed as real estate in the town in which said property or any part of it is situated.

**139:2 Effective Date.** This act shall take effect on passage.

[Approved May 22, 1967.]

[Effective date May 22, 1967.]

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## CHAPTER 140.

AN ACT TO RECLASSIFY CERTAIN SECTIONS OF BEAR ROCK ROAD IN THE TOWN OF STEWARTSTOWN.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**140:1 Bear Rock Road in Stewartstown.** After the effective date of this act, the 0.60 miles of Class II highway in the town of Stewartstown known as the Bear Rock Road, beginning at the Guy Placey Road and running southeasterly 0.60 miles, is classified as a Class V highway.

**140:2 Class V Highway in Stewartstown.** After the effective date of this act, the Class V portion of the Bear Rock Road in the town of Stewartstown beginning at Creampoke Road and running easterly 0.60 miles is classified as a Class II highway.

**140:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 22, 1967.]

[Effective date July 21, 1967.]

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## CHAPTER 141.

### AN ACT DESIGNATING ARBOR DAY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**141:1 Reforestation.** Amend RSA 221:19 as amended by 1957, 93:2 by striking out the said section and inserting in its place the following: **221:19 Arbor Day.** For the purpose of encouraging the planting of shade and forest trees and the designation of a uniform day of celebration throughout the nation, the last Friday in April in each year is designated as a day for the general observance of that purpose, and it shall be known as Arbor Day.

**141:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 22, 1967.]

[Effective date July 21, 1967.]

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## CHAPTER 142.

### AN ACT RELATIVE TO CARELESS SHOOTING OF HUMAN BEINGS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**142:1 Accidents.** Amend RSA 207:37 by striking out said section and inserting in place thereof the following: **207:37 Shooting Human Beings.** Any person, while on a hunting trip, or in pursuit of wild animals or wild birds, who carelessly shoots and wounds or kills any human being, shall be fined not more than five hundred dollars or imprisoned not more than twelve months, or both, and in addition thereto his license shall be revoked and he shall not be granted a license to hunt for a period of ten years. After ten years from the date of revocation his license to hunt may be restored at the discretion of the director and the commission. Any person while in woodlands as defined in section 33 who

carelessly shoots and wounds or kills any human being shall not be issued a license to hunt or if he holds a hunting license said license shall be revoked and he shall not be granted a license to hunt for a period of ten years. After ten years from the date of revocation he may be granted a license to hunt at the discretion of the director and the commission. Persons convicted of carelessly shooting and wounding or killing a human being while hunting in another state shall not be issued a license to hunt in this state for a period of ten years from the date of conviction in such other state.

**142:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 22, 1967.]

[Effective date July 21, 1967.]

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## CHAPTER 143.

AN ACT PROVIDING SPECIAL LIQUOR LICENSES FOR CERTAIN SKI AREAS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**143:1 Liquor Licenses.** Amend RSA 178 by inserting after section 5-a as inserted by 1961, 137:1 the following new section: **178:5-b Ski Areas.** The commission may issue a special license to any operator of a non-state owned ski area, or his designee, which area is equipped by at least any one of the passenger tramway devices as defined in RSA 225-A:2, I (a) through (e) inclusive. Such special license shall permit the licensee to serve liquor and beverages to patrons in such rooms located at the said ski area as may be designated by the commission and only during the hours set by the commission for such service in restaurant cocktail lounges. The commission may grant, regulate, suspend or revoke said special license without affecting any other license or permit which may have been granted by said commission. The fee for any such special license shall be three hundred dollars a year.

**143:2 Effective Date.** This act shall take effect upon its passage.

[Approved May 22, 1967.]

[Effective date May 22, 1967.]

## CHAPTER 144.

## AN ACT RELATIVE TO DIVIDENDS OF CREDIT UNIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**144:1 Credit Unions.** Amend RSA 394:26 (supp) as amended by 1961, 156:2 and 1963, 306:8 by striking out the word "four" in line six and inserting in place thereof the word (five) so that said section as amended shall read as follows: **394:26 Directors' Powers.** The board of directors shall have the general direction of the affairs of the credit union, and shall meet monthly. It shall be their special duty to act upon all applications for membership and upon the expulsion of members; to determine the rate of interest to be charged on loans; to declare dividends; to declare interest on deposits not to exceed five per cent; to fix the maximum amount to be loaned any one member; to provide for the compensation of necessary clerical auditing assistance requested by the supervisory committee; and to fill vacancies on the board of directors and credit committee until new members shall be elected and qualified. At the annual or special meeting of the members, the board shall make recommendations relative to the entrance fee, if any, to be charged new members, the need for amendments to the by-laws, and any other matters upon which, in their opinion, the members should act at such meeting.

**144:2 Dividends.** Amend RSA 394:42 (supp) as amended by 1961, 258:4 and 1963, 306:11 by striking out the word "four" in line five and inserting in place thereof the word (five) so that said section as amended shall read as follows: **394:42 Declaring.** At the annual meeting the board of directors shall report to the members the rate of dividend paid from income which has been actually collected during the dividend period next preceding, and which remains after the deduction of all expenses, interest on deposits not exceeding five per cent per annum and the amount required to be set apart as a guaranty fund, or that such dividend was paid in whole or in part from undivided earnings of preceding years, not to exceed twenty per cent thereof in any one year; provided that such earnings are a part of the surplus of the union in excess of all requirements of the guaranty fund.

**144:3 Effective Date.** This act shall take effect upon its passage.  
[Approved May 22, 1967.]  
[Effective date May 22, 1967.]

**CHAPTER 145.**

AN ACT PROVIDING FOR THE PROTECTION OF THE SURFACE WATERS OF THE STATE BY PREVENTING THE DEPOSIT THEREIN OF RUBBISH AND WASTE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**145:1 Protection of Surface Waters.** Amend RSA 149:8 by inserting after paragraph V, as inserted by 1963, 48:1 the following new paragraph:

VI. (a) It shall be unlawful for any person to put or place, or cause to be put or placed into a surface water of the state or on the ice over such waters, or on the banks of such waters, any bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, tires, old automobiles or parts thereof, trees, or similar litter.

(b) For any violation of this paragraph any authorized member or agent of the commission shall order the immediate removal of material involved in the violation, by the person responsible for the material in question.

(c) If the person or persons responsible for a violation of subparagraph (a) above, refuses or fails to obey the order of any authorized member or agent of the commission, said commission or authorized member or agent may contract for the removal of the material in question and the cost of the removal shall be recoverable by the state in an action of debt brought by the attorney general in the name of the state.

(d) Any person responsible for a violation of subparagraph (a) above shall be subject to a fine of not less than twenty-five or more than one hundred dollars.

**145:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 22, 1967.]

[Effective date July 21, 1967.]

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**CHAPTER 146.**

AN ACT RELATIVE TO THE PREVENTION OF SEWAGE DISCHARGES FROM VESSELS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**146:1 Sewage Discharges from Vessels.** Amend RSA 149-A:2, as inserted by 1957, 190:1, by striking out said section and inserting in place thereof the following: **149-A:2 Marine Toilets, Restrictions On.** After the effective date hereof no marine toilet on any boat operated upon

waters of the state shall be so constructed and operated as to discharge any sewage into said waters either directly or indirectly, nor shall any sewage or container of sewage be placed, left, discharged or caused to be placed, left or discharged in or near any waters of the state by any person at any time whether or not the owner, operator, guest or occupant of a boat; provided, however, that nothing herein shall prohibit such discharge to a municipal sewerage system or to any adequate sewage disposal system on shore.

**146:2 Registration.** Amend RSA 149-A:7 as inserted by 1957, 190:1 by striking out said section and inserting in place thereof: **149-A:7 Suspension of Registration.** If, upon said inspection it shall appear that any marine toilet within or on a boat in operation on waters of the state is so constructed as to permit the discharge of any sewage to a surface water of the state contrary to the provisions of this chapter, the member, agent or inspector is directed not later than forty-eight hours thereafter to require from the owner, operator, or any person on board said boat, production and surrender of its certificate and plate of registration. The owner, operator, or any person on board, shall have forty-eight hours from said production and surrender of certificate and plate of registration within which to remedy the defect. If, within said period said defect is remedied, the certificate and registration shall be returned. If, at the expiration of said forty-eight hours, the defect is not remedied, said member, agent, or inspector shall then endorse in ink upon said certificate or registration a brief statement of the nature of the violation and shall forward it forthwith by mail or in person to the department of safety, division of motor vehicles, where it shall be held by said division until receipt of written authority from the water pollution commission for its return, which authority shall include a statement that the specified violation has been remedied in accordance with the provisions hereof and regulations of the water pollution commission promulgated hereunder.

**146:3 Renewals.** Amend RSA 149-A:11, as inserted by 1957, 190:1, by striking out said section and inserting in place thereof the following: **149-A:11 Subsequent Registrations.** Applications for original or renewal of certificates of registration from the department of safety, division of motor vehicles, subsequent to the effective date hereof, shall contain a statement subject to the penalties of perjury that the boat described therein or the boat on which the outboard is to be used is equipped in compliance herewith.

**146:4 Effective Date.** This act shall take effect as of January 1, 1969.  
[Approved May 22, 1967.]  
[Effective date January 1, 1969.]

## CHAPTER 147.

## AN ACT RELATIVE TO EXPANDED STATE ACTIVITY IN THE FIELD OF WATER POLLUTION CONTROL.

*Whereas*, the water pollution control efforts of the several states have been receiving increasing federal attention, encouragement, and economic support throughout the period since 1956 when the government enacted the Water Pollution Control Act of 1956; and

*Whereas*, the Federal Water Quality Act of 1965 (PL 89-234), fully recognizing the need for expanded activity in this area of national concern, further requires that the state of New Hampshire very materially accelerate its program of classification and enforcement; and

*Whereas*, the Governor's Committee on Codes of Water Quality and Water Pollution Abatement has studied and reported on the modifications in state law and staffing necessary to meet the provisions of the Water Quality Act of 1965; now, therefore,

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**147:1 Change in Name of Commission.** Amend paragraph VI of RSA 149:1 by striking out said paragraph and inserting in place thereof the following: VI. "Commission" means the New Hampshire water supply and pollution control commission hereinafter established.

**147:2 Membership.** Amend paragraph I of RSA 149:2 (supp) as amended by 1955, 96:1; 1961, 222:1 and 223:3; and 1965, 267:2 by striking out the same and inserting in place thereof the following:

I. There is hereby created a commission to be known as the New Hampshire water supply and pollution control commission which shall consist of thirteen members, as follows: one member to be appointed by the governor with the consent of the council for a term of six years, who shall be the chairman of said commission; a member representing the public who shall be appointed by the governor with the consent of the council for a term of six years, who shall be vice-chairman of said commission; the director, division of public health services; the director of the fish and game department; the director of the division of parks; the director of the planning and research office, the division of economic development; the chairman of the water resources board; the commissioner of the department of safety; five members-at-large, two of whom shall represent the industrial interests of the state, one of whom shall represent the vacation home or private recreational interests of the state, one of whom shall represent the agricultural interests of the state, and the other an employee of any municipal or privately-owned water works in the state. The members-at-large shall be appointed by the governor with

the consent of the council, and all members appointed by the governor shall hold office for six years and until their successors shall be appointed and qualified. All appointive members shall receive no compensation for their services but shall receive necessary traveling and other expenses while engaged in actual work of the commission. The other members of the commission shall receive no additional compensation for their services as members of this commission other than their regular salaries or per diem expenses from their respective state departments, but shall receive their necessary traveling and other expenses while engaged in actual work of the commission, which said expenses shall be paid from the appropriations of this commission.

**147:3 Employees.** Amend RSA 149:2 (supp) as amended by 1965, 267 by inserting at the end thereof the following new paragraphs:

IV. The executive director, subject to the approval of the commission, shall appoint a deputy executive director and chief engineer, a chief aquatic biologist, and a director of municipal services and assistance. The foregoing personnel shall hold office during good behavior and may be removed only for cause and after being given a copy of the charges against them and an opportunity to be heard publicly on such charges. Said personnel shall perform such duties as may be assigned to them by the executive director, and in the case of the deputy executive director and chief engineer, he shall during the absence of the executive director perform all the duties and exercise all the powers of that office.

V. The qualifications for the above positions shall be as follows: The deputy executive director and chief engineer shall be a professional engineer registered in New Hampshire and specializing in sanitary engineering and having had a minimum of ten years responsible experience in the administration of major sanitary engineering programs at state, interstate or federal levels. The chief aquatic biologist shall be a university graduate with an advanced degree in biology and shall have a minimum of ten years recent significant experience in the field of water supply and water pollution control. The director of municipal services and assistance, shall be a professional engineer registered in New Hampshire and specializing in sanitary engineering and having had a minimum of seven years administrative experience, or a university graduate with an advanced degree in public health followed by at least ten years of recent significant experience in this or closely related fields.

VI. The executive director, subject to the approval of the commission shall appoint a pesticide surveillance scientist. Said scientist shall preferably have a master's degree in biology, chemistry or biochemistry or a related or similar field. His salary shall be as fixed by RSA 94:1.

**147:4 Standards for Classification of Surface Waters.** Amend paragraph II of RSA 149:3, as amended by 1963, 26:2 by striking out said



paragraph and inserting in place thereof the following: II. Class B waters shall be of the second highest quality and shall have no objectionable physical characteristics, shall be near saturation for dissolved oxygen, and shall contain not more than two hundred forty coliform bacteria per one hundred milliliters. There shall be no disposal of sewage or waste into said waters except those which have received adequate treatment to prevent the lowering of the physical, chemical or bacteriological characteristics below those given above, nor shall such disposal of sewage or waste be inimical to fish life or to the maintenance of fish life in said receiving waters. The pH range for said waters shall be 6.5 to 8.0 except when due to natural causes. Any stream temperature increase associated with the discharge of treated sewage, waste or cooling water shall not be such as to appreciably interfere with the uses assigned to this class. The waters of this classification shall be considered as being acceptable for bathing and other recreational purposes and, after adequate treatment, for use as water supplies.

**147:5 Class C Waters.** Amend paragraph III of RSA 149:3 by striking out said paragraph and inserting in place thereof the following: III. Class C waters shall be of the third highest quality and shall be free from slick, odors, turbidity, and surface-floating solids of unreasonable kind or quantity, shall contain not less than five parts per million of dissolved oxygen; shall have a hydrogen ion concentration within the range of pH 6.0 to 8.5 except when due to natural causes; and shall be free from chemicals and other materials and conditions inimical to fish life or the maintenance of fish life. Any stream temperature increase associated with the discharge of treated sewage, waste or cooling water shall not be such as to appreciably interfere with the uses assigned to this class. The waters of this classification shall be considered as being acceptable for recreational boating, fishing, or for industrial water supply uses either with or without treatment depending upon individual requirements.

**147:6 Class D Waters.** Amend paragraph IV of RSA 149:3 by striking out said paragraph and inserting in place thereof the following:

IV. Class D waters shall be the lowest classification and shall be free from slick, sludge deposits, odors, and surface-floating materials of unreasonable kind, quantity or duration, taking into consideration the necessities of the industries involved, and shall contain not less than two parts per million of dissolved oxygen at all times. Any stream temperature increase associated with the discharge of treated sewage, waste or cooling water shall result in a receiving water temperature not in excess of 90° F. The waters of this classification shall be aesthetically acceptable. Such water shall also be suitable for certain industrial purposes, power and navigation.

**147:7 Minimum Treatment.** Amend sub-paragraph (a) of paragraph V of RSA 149:3 by striking out the same and inserting in place thereof

the following: (a) For sewage, primary treatment and disinfection resulting in substantially complete disinfection and removal of all settleable and floatable materials.

**147:8 Engineering Services.** Amend RSA 149:4 by inserting after paragraph XII (supp) as inserted by 1965, 368:2 by inserting at the end thereof the following new paragraphs:

XIII. To review, approve, and co-sign contracts for engineering services related to sewerage and other pollution control facilities jointly with the municipality or other governmental subdivision concerned. Further, the commission shall prescribe the type of contract document to be employed and may provide for the assessment of liquidated damages for failure to complete the work within the time stipulated therefor. Except for the financial assistance available to municipalities under the provisions of RSA 149-B, nothing herein shall be construed to place any additional financial obligation on the state, the commission, or its personnel.

XIV. To establish rules and regulations governing the prequalification of consulting engineers employed in the planning and construction of public water supply and pollution control projects. The commission is further empowered to prescribe the contract award procedures to be followed in the awarding of construction contracts involving state financial assistance.

**147:9 Enforcement of Classification.** Amend paragraph III of RSA 149:8 by striking out said paragraph and inserting in place thereof the following:

III. It shall be unlawful for any person or persons to discharge or dispose of any sewage or waste to a surface water of the state without first obtaining a written permit from the commission. In granting such permits, the commission shall prescribe such degree of treatment as it deems reasonable and proper. The degree of treatment prescribed shall be based upon economic and technological factors, upon the projected best use of the surface waters downstream, and upon the classification enacted by the legislature. No permit shall be granted to utilize the entire dissolved oxygen assets of the surface water. The commission may prescribe a monitoring program to be performed by the applicant with periodic reports to the commission. Permits shall be reviewed periodically in order to ensure compliance with the stream classification criteria and standards adopted by the legislature for the particular waters involved. Any determination by the commission under this paragraph shall be subject to appeal as provided for in RSA 149:14.

**147:10 Marine Toilets.** Amend RSA 149-A:3, as inserted by 1957, 190:1 by inserting after the word "devices" in line eight the words (provided, however, that no such sewage shall be discharged into any surface

waters of the state within five hundred feet of the shore-line) and by striking out the word "pollution" in lines six, seven and nine and inserting in each place thereof the words (supply and pollution control) so that said section as amended shall read as follows: **149-A:3 Marine Toilets, Manner of Operation.** After the effective date hereof any marine toilet located on or within any boat operated on waters of this state shall have securely affixed to the interior discharge opening of such toilet a suitable treatment device in operating condition, constructed and fastened in accordance with regulations of the water supply and pollution control commission or some other treatment facility or method authorized by regulation of the water supply and pollution control commission. All sewage passing into or through such marine toilets shall pass solely through such devices provided, however, that no such sewage shall be discharged into any surface waters of the state within five hundred feet of the shore-line. The water supply and pollution control commission shall have authority to carry out the provisions of this chapter by appropriate regulations.

**147:11 Municipal Requests for State Contributions.** Amend RSA 149-B as inserted by 1959, 267:1 by inserting at the end of said chapter after section 4 (supp) as inserted by 1965, 217:1 the following new section: **149-B:5 Application Agreement.** Applications for state grants under this chapter shall contain an agreement that the applicant has installed the pollution control facilities in accordance with the plans and specifications approved by the water supply and pollution control commission and will provide proper and efficient operation and maintenance of said facilities; that failure to install the facilities in accordance with said approved plans and specifications or to provide proper and efficient operation and maintenance thereof shall result in loss of payments of the annual grant installment next following such failure. Said loss of payment of the annual grant installment shall continue in effect until such time as the applicant has completed the steps necessary to install the control facilities in accordance with plans and specifications approved by this commission and/or made provision for proper and efficient operation and maintenance of said facilities in accordance with commission instructions. It is further required that the operators of pollution control facilities shall be certified as to their qualifications and ability to operate said facilities in accordance with appropriate regulations and procedures which the commission is hereby authorized to specify.

**147:12 Municipal Budget Law.** Amend RSA 32 by inserting after section 10-a (supp) as inserted by 1959, 78:3 and amended by 1961, 69:2 the following new section: **32:10-b Exceptions.** In cases where the town or a village district wholly within the town has been ordered by the water supply and pollution control commission, under the provisions of RSA 147, 148, or 149, to install, enlarge or improve waterworks or to install, enlarge or improve sewerage, sewage, or waste treatment facilities, the provisions of sections 8 and 9 of this chapter shall not apply.

**147:13 New Chapter.** Amend RSA by inserting after chapter 149-D (supp) as inserted by 1965, 368:1 the following new chapter:

### **Chapter 149-E**

#### **Sewage Disposal Systems Near Shorelines**

**149-E:1 Declaration of Purpose.** The purpose of this chapter is to protect water supplies and to prevent pollution in the surface waters of the state as defined in RSA 149 by inadequate sewer or waste disposal systems near shorelines. In exercising any and all powers conferred upon it by this chapter, the New Hampshire water supply and pollution control commission shall be governed solely by criteria relevant to the declaration of purpose contained in this section.

**149-E:2 Definitions.** As used in this chapter unless the context indicates otherwise:

I. "Near shorelines" means any land bordering on the surface waters of the state and/or within one thousand feet of the water line at maximum water line elevation or the watershed ridge line whichever is nearer the maximum water line elevation.

II. "Sewage" means the water-carried waste products from buildings, public or private, together with such groundwater infiltration and surface water as may be present.

III. "Industrial waste" means any liquid, gaseous or solid waste substance resulting from any process of industry, manufacturing trade or business or from development of any natural resources.

IV. "Other wastes" means garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime, ashes, offal, oil, tar, chemicals and other substances other than sewage or industrial wastes, and any other substance harmful to human, animal, fish or aquatic life.

V. "Waste" means industrial waste and other wastes.

VI. "Commission" means the New Hampshire water supply and pollution control commission.

VII. "Person" means any municipality, governmental subdivision, public or private corporation, individual, partnership, or other entity.

VIII. "Subdivision" means the division of a tract or parcel of land into two or more lots, tracts, or parcels for the purpose, whether immediate or future, of sale, rent, lease, building development, or any other reason; provided, however, that a sale or other conveyance which involves merely an exchange of land among two or more owners and which does not increase the number of owners, and on which no sewage disposal system is to be constructed shall not be deemed a subdivision for the purposes of this chapter.

IX. "Subdivider" means the legal owner or his authorized agent of a tract or parcel of land being subdivided.

X. "Lot" means a part of a subdivision or a parcel of land which can be used as a building site or intended to be used for building purposes, whether immediate or future.

XI. "Tract or parcel of land" means an area of land, whether surveyed or not surveyed.

XII. "Development plan" means the final map, drawing, plat or chart on which the subdivider presents his plan of subdivision to the water supply and pollution control commission for approval of planned or proposed sewage or waste disposal systems.

### **149-E:3 Submission and Approval of Plans and Specifications.**

I. Any person proposing either to subdivide land near any shoreline, or to construct a sewage or waste disposal system near any shoreline shall submit two copies of plans for any such subdivision of land and two copies of plans and specifications for any sewage or waste disposal systems which will be constructed near any shoreline or on any subdivision or lot for approval in accordance with the requirements of the water supply and pollution control commission as hereinafter provided. The water supply and pollution control commission shall implement the requirement set forth herein relating to the submission of plans and specifications to the commission by promulgating such rules and regulations as it deems necessary to fully effectuate the purposes of this chapter. Such rules and regulations shall be promulgated in the manner hereinafter provided in RSA 149-E:5, III. Without limitation of the foregoing, such rules and regulations shall specify when and where such plans and specifications are to be submitted, what details, data and information are to be contained in such plans and specifications, what tests are to be required, what standards, procedures and criteria are to be applied and followed in constructing any sewage or waste disposal system near any shoreline, and other related matters. For any part or parts of the subdivisions where construction or waste disposal is not contemplated, only the lot lines, and property boundaries drawn to scale and general soil and related data shall be required. The constructed sewage or waste disposal systems shall be in strict accordance with approved plans, and said facilities shall not be covered or placed in operation without final inspection and approval by an authorized agent of the commission. All inspections by the commission shall be accomplished within seven business days after receipt of written notification from the builder that such system is ready for inspection.

II. The commission shall give notice in writing to the person submitting the plans and specifications of its approval or disapproval of such plans and specifications within thirty days of the date they are received by the commission. Unless such written disapproval shall be mailed to the

person submitting the plans and specifications within thirty days from the date of receipt by the commission, the plans and specifications shall be deemed to have been approved. The commission shall send a copy of the approval or disapproval of such plans and specifications to the planning board or board of selectmen of the affected municipality.

III. No person shall construct any building from which sewage or other wastes will discharge near shorelines or construct a sewage or waste disposal system near shorelines without prior approval of the plans and specifications of the sewage or waste disposal system by the commission. Nothing herein shall be construed to modify or lessen the powers conferred upon local authorities by other statutes; provided, however, that in all instances the requirements contained in this chapter shall be considered as minimum.

IV. No plans and specifications shall be required whenever the proposed sewage or waste disposal system near any shoreline will be connected to any public sewer system operated by any municipality or other governmental body within the state.

V. The commission shall require soil data describing soils types and their physical and related characteristics as exist in the proposed subdivision. Such soil data will consist of soils maps and charts as prepared by the U. S. Department of Agriculture, Soil Conservation Service, or equivalent. The data provided by the soils map will supplement the information obtained by percolation tests and such other independent examination as the commission may require to establish the adequacy of the proposed sewage or waste disposal facilities.

VI. Lot sizes will be in accordance with the type of soil and its ability to absorb wastes without polluting water supplies or adjoining waters.

VII. In all cases involving inspection of sewage or waste disposal systems in cities or towns which employ a full time health officer and/or building inspector, the commission may delegate to such officer or inspector the responsibility for inspecting the proposed system as required under paragraph I of this section. In cities and towns which do not maintain full time health officers and/or building inspectors, the commission may delegate the responsibility for such inspections to any local official deemed qualified by the commission to fulfill the requirements of paragraph I of this section. All inspections delegated by the commission under this paragraph to health officers, building inspectors or any other local officials shall be accomplished within two business days after receipt of written notification from the builder that such system is ready for inspection.

**149-E:4 Reconsideration and Appeal Procedure.** If any person submitting plans and specifications to the commission for its approval is aggrieved or dissatisfied with its decision, he may file a motion for recon-

sideration and shall have a right of appeal from the decision of the commission in the following manner:

I. Motion for Reconsideration. Within twenty days after any decision of the commission, any person whose rights may be directly affected may apply to the commission for reconsideration of any matter determined by the commission in its decision, specifying in the motion for reconsideration the grounds therefor, and the commission may reconsider and revise its decision if in the opinion of the commission good reason therefor is stated in said motion.

II. Specifications. Such motion shall set forth fully every ground upon which it is claimed that the decision of the commission is unlawful or unreasonable. No appeal from any decision of the commission shall be taken unless the appellant shall have made application for reconsideration as herein provided, and when such application shall have been made, no ground not set forth therein shall be urged, relied on, or given any consideration by the court, unless the court for good cause shown shall allow the appellant to specify additional grounds.

III. Action on Motion. Upon the filing of such motion for reconsideration the commission shall within ten days either grant or deny the same, and shall thereby either affirm, or modify, revise, or reverse its decision.

IV. Appeal from Decision on Motion for Reconsideration. Within thirty days after the application for reconsideration is denied, or if the application is granted, then within thirty days after the decision on such reconsideration, the applicant may appeal by petition to the superior court.

V. Burden of Proof. Upon the hearing the burden of proof shall be upon the party seeking to set aside the decision of the commission to show that the same is unreasonable or unlawful, and all findings of the commission upon all questions of fact properly before it shall be deemed to be prima facie lawful and reasonable; and the order or decision appealed from shall not be set aside or vacated, except for errors of law, unless the court is persuaded by the balance of probabilities, on the evidence before it, that said decision is unjust or unreasonable.

VI. Parties. Any person whose rights may be directly affected by said appeal may appear and become a party, or the court may order such persons to be joined as parties as justice may require.

VII. Procedure. Upon the filing of an appeal, the clerk of court shall issue an order of notice requiring a certified copy of the record appealed from to be filed with the court. The filing of an appeal shall not suspend the decision appealed from, unless the court, on application and for good cause shown, shall grant a restraining order.

VIII. Evidence; How Considered. All evidence transferred by the commission shall be, and all additional evidence received may be, considered by the court regardless of any technical rule which might have rendered the same inadmissible if originally offered in the trial of an action at law.

IX. Judgment. The final judgment upon every appeal shall be a decree dismissing the appeal, or vacating the decision complained of in whole or in part, as the case may be; but in case such decision is wholly or partly vacated the court may also, in its discretion, remand the matter to the commission for such further proceedings, not inconsistent with the decree, as justice may require.

X. Appeals to Court; Certifying Record. An order of court to send up the record may be complied with by filing either the original papers or duly certified copies thereof, or of such portions thereof as the order may specify, together with a certified statement of such other facts as show the grounds of the action appealed from.

XI. Hearing, etc. The court may take evidence or appoint a referee to take such evidence as it may direct and report the same with his findings of fact and conclusions of law.

XII. Costs. Costs shall not be allowed against the commission unless it shall appear to the court that it acted with gross negligence, or in bad faith, or with malice in making the decision appealed from.

XIII. All proceedings under this chapter shall be entitled to a speedy hearing. If such hearing cannot be had within thirty days after the filing of the appeal, upon request of the appellant the matter shall be referred to a master.

**149-E:5 Duties of Commission.** It shall be the duty of the water supply and pollution control commission and it shall have the power and authority:

I. To exercise general supervision over the administration and enforcement of this chapter.

II. To employ such personnel and assistance as may be necessary.

III. To adopt such rules, regulations, standards and procedures as may be required to implement the provisions of this chapter. Before adopting any such rules and regulations, the commission shall hold a public hearing on the proposed rules and regulations, at which hearing all interested parties shall be heard relative to their view on such proposed rules and regulations. A notice setting forth the proposed rules and regulations shall be published for three successive weeks in a newspaper generally circulated throughout the state. The last notice shall be published at least seven days before the hearing date. The notice shall stipu-



late the time and place where a public hearing on the proposed rules and regulations shall be held. The procedure for review of the orders of the commission promulgating any such rules and regulations shall be that prescribed by RSA 541. The commission may in its discretion waive the application of any of its rules or regulations promulgated hereunder whenever it finds that a literal application of such rules and regulations would impose an undue or unnecessary hardship upon any person and such waiver would be consistent with the purposes and provisions of this chapter and so that the spirit of the chapter shall be observed and substantial justice done.

IV. In instances where no practicable system exists which will prevent pollution of surface waters of the state, to prohibit construction until such time as an acceptable method is available.

**149-E:6 Enforcement.** Whenever it is found that a sewage or waste disposal system or any building from which waste is being discharged is being or has been constructed near any shoreline after the effective date of this chapter without prior approval of the commission, the commission shall issue an order to cease and desist such construction or use and shall notify the appropriate local authorities. Upon certification by the commission, local officials are hereby authorized and fully empowered to exercise concurrent jurisdiction in the enforcement of this chapter.

**149-E:7 Penalties.** Any person who shall violate any of the provisions of this chapter or who shall fail, neglect, or refuse to obey any order of the commission or member or authorized agent of the commission issued under authority of this chapter shall be fined not more than one thousand dollars for such violation, failure, neglect, or refusal.

**149-E:8 Injunction to Enforce.** On application of the commission, the superior court or any justice thereof, in term time or in vacation, may enjoin any act in violation of this chapter.

**147:14 Application of Statutes; Promulgation of Initial Regulations under RSA 149-E:3, I.** Whenever reference is made in the Revised Statutes Annotated or in the statutes generally to the water pollution commission, it shall henceforth be construed to mean the water supply and pollution control commission. The initial rules and regulations required to be promulgated under the provisions of RSA 149-E:3, I, shall be promulgated by the commission, in accordance with the procedure set forth in RSA 149-E:5, III, within four weeks after the date of the passage of this act. Notwithstanding the provisions of RSA 149-E:5, III, the initial rules and regulations proposed by the commission do not have to be published in a newspaper; provided, however, that copies of such proposed rules and regulations shall be made available by the commission to all interested parties before the scheduled hearing and that the notice which is published will indicate that such copies are available upon request.

**147:15 Reclassification of Waters.** All surface waters of the state heretofore or hereafter classified as Class B-1 or Class B-2 waters are hereby reclassified as Class B waters.

**147:16 Tenure of Incumbents.** Notwithstanding any other provisions hereof the incumbent appointive members of the water pollution commission in office on the effective date of this act shall remain in office until their successors are appointed and qualified.

**147:17 Continuation in Office of Certain Officials.** The chief water pollution engineer in office at the effective date of this act shall become the first deputy executive director and chief engineer of the water supply and pollution control commission. The director of municipal services and assistance in office at the effective date of this act shall continue in office subject to the provisions of this act.

**147:18 Repeal.** Paragraph XI of RSA 149:4 (supp) as inserted by 1965, 368:2 relative to pesticide surveillance scientist is hereby repealed.

**147:19 Effective Date.** The provisions of section 14 of this act relative to the promulgation of initial rules and regulations shall take effect on the date of passage and all other provisions of this act shall take effect July 1, 1967.

[Approved May 24, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 148.

### AN ACT RELATIVE TO STATE GUARANTEE OF MUNICIPAL BONDS AND WATER POLLUTION PROJECTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**148:1 Water Pollution Projects.** Amend RSA 149:5 (supp), as amended by 1957, 213:2; 1961, 182:1; 1963, 167:1 and 1966, 3:1 by striking out the word "thirty-five" in line five and inserting in place thereof the word (fifty-five) and by striking out the word "thirty-five" in line fourteen and inserting in place thereof the word (fifty-five) so that said section as amended shall read as follows: **149:5 State Guarantee.** In view of the general public benefits resulting from the elimination of pollution from the public waters of the state, the governor and council are authorized in the name of the state of New Hampshire to guarantee unconditionally, but at no time in excess of the total aggregate sum for the entire state of fifty-five million dollars, the payment of all or any portion, as they may find to be in the public interest, of the principal of and interest on any bonds or notes issued by any municipality, town, city, county, or district for construction of sewage systems, sewage treatment and dis-

posal plants, or other facilities necessary, required or desirable for pollution control, and the full faith and credit of the state are pledged for any such guarantee. The outstanding amount of principal and interest on such bonds and notes, the payment of which has been guaranteed by the state under the provisions of this section, shall at no time exceed the amount of fifty-five million dollars. The state's guarantee shall be endorsed on such bonds or notes by the state treasurer; and all notes or bonds issued with state guarantee shall be sold (1) at public sealed bidding, (2) after publication of advertisement for bids, (3) to the highest bidder. Any and all such bids may be rejected and a sale may be negotiated with the highest bidder. In the event of default in payment of any such notes or bonds, the state may recover any losses suffered by it by action against the town as provided in RSA 530.

**148:2 Effective Date.** This act shall take effect upon its passage.

[Approved May 25, 1967.]

[Effective date May 25, 1967.]

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## CHAPTER 149.

AN ACT TO AUTHORIZE TOWNS TO MAKE BY-LAWS REGULATING THE  
OPERATION OF MOTOR VEHICLE RACE TRACKS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**149:1 Regulation of Motor Vehicle Race Tracks.** Amend RSA 31 by inserting after section 41 the following new section: **31:41-a Motor Vehicle Race Tracks.** Towns shall have the power to make by-laws relating to the regulation and licensing of motor vehicle race tracks within the limits of the town, and may fix fees not to exceed one hundred dollars annually for the operation of such race tracks, and may enforce the observance of such by-laws by suitable penalties not exceeding twenty-five dollars for each offense, to inure to such uses as said towns may direct. For the purposes of this section, a motor vehicle shall be defined as any self-propelled vehicle, except tractors, activated by an internal combustion engine and not operated exclusively on stationary tracks.

**149:2 Regulation by Selectmen.** Amend RSA 31:42 by striking out in line two the word and figure "section 41" and inserting in place thereof the words and figures (sections 41 or 41-a); further amend said section by inserting in line three after the word "theatres" the words (or motor vehicle race tracks); further amend said section by striking out in line eight the words and figure "said section 41" and inserting in place thereof the words and figures (sections 41 or 41-a) so that said section as amended shall read as follows: — **31:42 Regulation by Selectmen.** Prior to adoption of by-laws by a town under the provisions of sections 41 or 41-a the

selectmen may regulate the operation of open-air motion picture theatres or motor vehicle race tracks within the limits of the town and fix reasonable fees for such operation, provided that such regulations made by the selectmen shall only be effective until the next annual town meeting and provided further that nothing herein contained shall be deemed to prohibit the town from adopting by-laws in accordance with the provisions of sections 41 or 41-a, at any special town meeting, which shall supersede any regulations made by the selectmen.

**149:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 25, 1967.]

[Effective date July 24, 1967.]

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## CHAPTER 150.

### AN ACT RELATIVE TO UNLICENSED DOGS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**150:1 Warrants; Proceedings.** Amend RSA 466:14 (supp) as amended by 1965, 325:2 by striking out the word "May" in line two and inserting in place thereof the word (June) and by striking out the words "and any person may," in line eight so that said section as amended shall read as follows: **466:14 Warrants; Proceedings.** The mayor of each city and the selectmen of each town shall annually, within ten days from June first, issue a warrant to one or more police officers or constables, directing them to proceed forthwith either to collect the fees due and pay them over to their respective town or city clerk, or to kill or cause to be killed all dogs within such city or town not licensed and collared according to the provisions of this chapter, and to enter complaint against the owners or keepers thereof; and every police officer and constable shall, kill or cause to be killed all such dogs, whenever and wherever found.

**150:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 25, 1967.]

[Effective date July 24, 1967.]

**CHAPTER 151.****AN ACT RELATIVE TO SALARY FOR THE REGISTER OF DEEDS OF BELKNAP COUNTY.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**151:1 Register of Deeds.** Amend RSA 478 by inserting after section 17-b (supp) as inserted by 1965, 292:2 the following new section:

**478:17-c Fees.** The register of deeds for Belknap county shall charge the following fees for documents recorded in, or services rendered by his office.

I. For recording deeds, mortgages, leases, agreements, attachments, and like documents, three dollars for the first recorded page, plus two dollars for each additional recorded page. However, if the instrument contains the names of more than one grantor and one grantee an additional fee of fifty cents shall be charged for indexing the names of each additional grantor or grantee.

II. For recording discharge of real estate attachment, or marginal assignment, release or discharge of real estate mortgage, two dollars.

III. For each transfer furnished pursuant to section 14 of this chapter, fifty cents.

IV. For recording plans, five dollars for the first two hundred square inches thereof with one dollar for each additional one hundred square inches or part thereof.

V. For copying any document, the price to be established and posted by the register of deeds.

**151:2 Belknap County.** Amend RSA 478 by inserting after section 28 (supp) as inserted by 1965, 377:1 the following new subdivision:

**Register for Belknap County**

**478:29 Receipts.** The register of deeds for Belknap county shall pay over monthly to the county treasurer all fees received by him as such register.

**478:30 Salary.** The register of deeds for Belknap county shall be paid an annual salary of six thousand five hundred dollars plus ten per cent of the total fees collected by him.

**478:31 Assistants.** The register of deeds for Belknap county is authorized to employ such assistants as may be required; and to fix their salaries, subject to the approval of the executive committee of the county

convention. The salaries of the assistants and any other expenses of the office of the register of deeds shall be paid by the county.

**151:3 Application of Statutes.** The provisions of RSA 478:17 relative to fees shall not apply to the fees collected by the register of deeds for Belknap county.

**151:4 Effective Date.** This act shall take effect January 1, 1968.  
[Approved May 25, 1967.]  
[Effective date January 1, 1968.]

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## CHAPTER 152.

AN ACT TO PROVIDE THAT TUITION PAYMENT OBLIGATIONS OF AN AREA  
SENDING DISTRICT ARE NOT INDEBTEDNESS FOR THE PURPOSE  
OF DETERMINING BORROWING CAPACITY.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**152:1 Tuition not Deemed Indebtedness.** Amend RSA 195-A:1 IX (supp) as inserted by 1963, 277:1 and amended by 1965, 112:1 and 311:1 by adding at the end thereof the following sentence: (The obligation of a sending district to pay tuition to a receiving school shall not be deemed indebtedness of such district for the purpose of determining its borrowing capacity under RSA 33.) so that said paragraph as amended shall read as follows: IX. "Tuition" shall mean the sum of money which each sending district is obligated to pay to the receiving district to defray the cost of education of each of its resident pupils, for a school year, at the area school in the receiving district to which such pupils are assigned and it may be subdivided into elementary school tuition, junior high school tuition, high school tuition, or any other reasonable combination of grades, and shall be fixed as provided in section 3 of this chapter. Tuition may include an annual rental charge per pupil. The obligation of a sending district to pay tuition to a receiving school shall not be deemed indebtedness of such district for the purpose of determining its borrowing capacity under RSA 33.

**152:2 Effective Date.** This act shall take effect sixty days after its passage.  
[Approved May 25, 1967.]  
[Effective date July 24, 1967.]

**CHAPTER 153.****AN ACT RELATIVE TO COMPENSATION OF SHERIFF AND DEPUTY SHERIFF OF  
CARROLL COUNTY.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**153:1 Carroll County.** Amend RSA 104:29 I, (supp) as inserted by 1965, 162:1 and amended by 1965, 190:1 and 1965, 263:1 by striking out the words "(c) In Carroll, twelve hundred dollars" so that said paragraph as amended shall read as follows:

I. The annual salaries of sheriffs of the several counties shall be as follows:

- (a) In Strafford, two thousand dollars.
- (b) In Belknap, fifteen hundred dollars, payable in twelve monthly installments.
- (c) In Merrimack, two thousand dollars.
- (d) In Hillsborough, two thousand four hundred dollars.
- (e) In Coos, two thousand dollars.

**153:2 Sheriff's Salary.** Amend RSA 104:29 (supp) as amended by 1955, 172:1; 247:1, 1957, 156:1; 309:4, 1961, 175:1, 1963, 129:1, 1965, 162:1; 190:1; 263:1 by inserting at the end thereof the following new paragraph:

VI. In Carroll the annual salary of the sheriff shall be nine thousand five hundred dollars which shall be paid monthly. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

**153:3 Deputies.** Amend RSA 104 by inserting after section 3-a (supp) as inserted by 1965, 162:2 the following new section: **104:3-b Carroll County: Appointment of Deputy Sheriffs on Salaries.** The sheriff of Carroll county may appoint such number of deputies as he may deem necessary and shall fix the compensation of each individual deputy. The annual salary of each deputy as established by the sheriff shall be paid

by the county and said payment shall be in full for all services of said deputies for the county. Said deputies shall not be allowed the statutory rates for mileage allowable to other deputy sheriffs. Provided, further, that the total expenditures of the sheriff's department shall not exceed the amount appropriated by the county delegation for said department. For the service of civil writs and other process which the deputies may perform they shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. They shall report annually to the sheriff the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year and said report shall be incorporated in the sheriff's annual report to the county commissioners.

**153:4 Effective Date.** This act shall take effect upon its passage.  
[Approved May 25, 1967.]  
[Effective date May 25, 1967.]

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## CHAPTER 154.

AN ACT CLARIFYING THE LAW ESTABLISHING THE SCHOOL BUILDING AUTHORITY AND INCREASING THE LIMIT OF STATE GUARANTEE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**154:1 New Chapter.** Amend RSA by inserting after RSA 195-B (supp) as inserted by 1965, 112:11, 311:4 and 311:5 the following new chapter:

### Chapter 195-C

#### School Building Authority — State Guarantee

##### 195-C:1 School Building Authority.

I. There shall be a school building authority (referred to in this chapter as the authority) of five members consisting of the state treasurer, the commissioner of education and three other members appointed by the governor, with the advice and consent of the council, for terms of three years and until their successors are appointed and qualify. The governor shall designate one of said members as chairman. In case of vacancy among the appointive members of the authority, the governor, with the advice and consent of the council, shall fill the same for the unexpired term. The appointive members of the authority shall receive as compensation for their services, while actually engaged in the business of the authority, the sum of eight dollars per day plus their necessary travel and subsistence expenses.



II. It shall be the duty of the authority to consider and investigate all applications of receiving districts under area school plans (RSA 195-A) and of cooperative school districts (RSA 195) for awards of state guarantees with respect to borrowings authorized by such districts for school projects involving the construction, enlargement or alteration of school buildings, and to make a written report thereon to the governor and council. If the authority finds that a school project will be of public use and benefit and that the amount of the authorized borrowing appears to be within the financial means and available resources of the school district making the application, the authority may include in its report a recommendation that a state guarantee be awarded on a split issue basis with respect to a specific amount of the bonds or notes of the district or that a state guarantee be awarded on a declining balance basis with respect to a specific percentage of each of such bonds or notes. In determining what amount or percentage to recommend under the provisions of this chapter the authority shall consider the need for the project in comparison with the need for other projects throughout the state and the capacity of the state to guarantee indebtedness within the limits contained in this chapter.

III. The authority may make reasonable procedural rules and regulations and prescribe forms to be used in its proceedings. The authority may also establish from time to time schedules of service charges to be paid by districts which issue bonds or notes guaranteed by the state pursuant to this chapter, but no charge shall exceed one tenth of one per cent of the principal amount of the bonds or notes which are issued and with respect to which the state guarantee is applicable. The charge to a district shall not be payable until after the bonds or notes on which the charge is based have been issued, and such charge may be paid from the proceeds of the bonds or notes including premiums, but exclusive of accrued interest. Service charges shall be paid to the state treasurer and shall be credited to the account of the authority. Such account shall not lapse and shall be available to the authority as a continuing fund subject to expenditure for the use of the authority pursuant to votes thereof.

**195-C:2 State Guarantee.** Upon the receipt of a report from the authority containing a recommendation that bonds or notes of a receiving district or cooperative school district should be guaranteed by the state, the governor with the advice and consent of the council may award an unconditional state guarantee with respect to such bonds or notes in accordance with the authority's recommendation or in some lesser amount or percentage, or on the alternative basis of guarantee, as the best interests of the state may require. The full faith and credit of the state are and shall be pledged for any such guarantees, and the total outstanding amount of the principal of and interest on such bonds and notes which has been guaranteed by the state under this section shall at no time ex-

ceed twenty million dollars. The governor, with the advice and consent of the council, is authorized to draw his warrant on the state treasurer for any funds in the treasury, which have not otherwise been appropriated, for the purpose of honoring any guarantee awarded under this section. In the event that any state funds shall be so used, the state may recover the amount thereof as provided in RSA 530.

**195-C:3 Definition and Limit of Split Issue Guarantee.** An award of a state guarantee on a split-issue basis under section 2 of this chapter shall specify the face amount of the bonds or notes which shall comprise the guarantee portion of the total authorized borrowing, and such guarantee shall be applicable with respect to that amount of the bonds or notes and the interest thereon. In the case of a receiving district the guaranteed portion of the total authorized borrowing shall not exceed the proportionate share of such borrowing which is attributable to the sending district or districts as determined by the state board of education under RSA 195-A:7; and, in the case of a cooperative school district, the guaranteed portion of the total authorized borrowing shall not exceed one half. Bonds or notes bearing a state guarantee awarded on a split-issue basis shall be offered and sold at public sale, after such advertisement as the school board deems appropriate, as a separate and distinct issue from any issue of bonds or notes which are not guaranteed by the state. All state guaranteed bonds or notes issued to finance a particular project shall be made payable no later than the payment date of the last maturing unguaranteed bond or note which is issued to finance the same project. The bonds or notes comprising the guaranteed portion of an authorized borrowing and the bonds or notes comprising the unguaranteed portion of an authorized borrowing may be issued from time to time, provided that the percentage of the guaranteed portion which shall have been issued at any time shall not exceed the percentage of the unguaranteed portion which shall then have been issued. The state's guarantee shall be evidenced on each guaranteed bond or note by an endorsement signed by the state treasurer in substantially the following form:

The State of New Hampshire hereby unconditionally guarantees the payment of the whole of the principal and interest of the within (bond) (note) and for the performance of such guarantee the full faith and credit of the State are pledged.

.....  
State Treasurer

**195-C:4 Definition and Limit of Declining Balance Guarantee.** An award of a state guarantee on a declining balance basis under section 2 of this chapter shall specify the percentage of the guarantee, and such guarantee shall be applicable in such percentage with respect to any amount of a bond, note or coupon comprising the authorized borrowing which the issuing district is unable to pay or refuses to pay upon the

presentation of such bond, note or coupon. In the case of a receiving district this percentage shall not exceed the percentage of the total authorized borrowing which is attributable to the sending district or districts as determined by the state board of education under RSA 195-A:7; and, in the case of a cooperative school district, such percentage shall not be more than fifty per cent. The bonds or notes comprising an authorized borrowing guaranteed on a declining balance basis may be issued from time to time and may be sold at public or private sale. The state's guarantee shall be evidenced on each bond or note by an endorsement signed by the state treasurer in substantially the following form:

The State of New Hampshire hereby unconditionally guarantees the payment of \_\_\_\_\_ percent of any amount of the principal of or the interest on this (bond) (note) which the issuer of this (bond) (note) is unable to pay or refuses to pay upon presentation, and for the performance of such guarantee the full faith and credit of the State are pledged.

.....  
State Treasurer

**195-C:5 Application to Pending Issues.** Guarantees may be awarded under the provisions of this chapter notwithstanding that the applications therefor may have been filed with the school building authority before the effective date hereof. The provisions of this chapter shall apply to bond or serial note issues which have been authorized by cooperative school districts or receiving districts prior to the effective date hereof but which have not been issued or sold prior thereto.

**154:2 Outstanding Guarantee.** Nothing contained in this act shall be deemed to modify or impair any state guarantee with respect to the outstanding indebtedness of any school district existing at the time of the passage of this act.

**154:3 Appointed Members of the Authority.** Nothing contained in this act shall be deemed to change the terms of the members of the New Hampshire school building authority heretofore appointed and now serving.

**154:4 Transfer of Appropriation.** Appropriations or unexpended balances thereof for the New Hampshire school building authority for the fiscal years ending June 30, 1967, 1968 and 1969 are hereby transferred to the school building authority established by this act.

**154:5 Transfer of References.** Whenever in any other statute reference is made to RSA 195-B it shall be deemed and interpreted to refer to RSA 195-C as inserted by section 1 of this act.

**154:6 Repeal.** RSA 195-B (supp) as inserted by 1965, 112:1, 311:4 and 5 State Guarantee is hereby repealed.

**154:7 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 25, 1967.]

[Effective Date July 24, 1967.]

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## CHAPTER 155.

### AN ACT RELATIVE TO COUNTING BALLOTS AT ELECTIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**155:1 Counting Ballots.** Amend RSA 59:69-a (supp) as inserted by 1963, 285:1 by striking out said section and inserting in place thereof the following:

**59:69-a Nominees of More Than One Party.** In the case of a candidate who is nominated by more than one party and whose name appears on the ballot, that candidate shall receive one vote under the following conditions:

I. When the total number of votes cast for the particular office for which the nominee is a candidate does not exceed the number of candidates to be elected for that office and the nominee has:

(a) A write-in vote and/or a vote under more than one party label, then one vote shall be counted for the nominee and credited to the party to which the nominee is registered;

(b) A write-in vote and a vote under the party to which the nominee is registered then one vote shall be counted for the nominee and credited to the party to which the nominee is registered;

(c) A write-in vote and a vote under a party label in which the nominee is not registered then one vote shall be counted for the nominee and credited to the party under which the vote was cast having a party label:

(e) Any single write-in vote shall be credited to the party under which the nominee is registered.

II. For the purposes of this section to determine if the number of candidates voted for have exceeded the number of candidates to be elected, the name of any particular candidate shall be counted only once.

**155:2 Biennial Election.** Amend RSA 59 by inserting after section 69-a (supp) as inserted by 1963, 285:1 and as hereinabove amended the following new section: **59:69-b Write-in Votes.** In the case of a write-in vote for a candidate whose name appears on the ballot as the nominee of a party for the same office, said write-in vote shall not be counted as an

additional vote for said candidate but the said individual ballot shall be counted as only one vote for the same person for the same office.

**155:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 2, 1967.]

[Effective date August 1, 1967.]

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## CHAPTER 156.

### AN ACT TO REGULATE PROFESSIONAL BONDSMEN.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**156:1 New Chapter.** Amend RSA by inserting after chapter 598 the following new chapter.

#### Chapter 598-A

#### Professional Bondsmen

**598-A:1 Approval and Registration.** No person proposing to become bail or surety in a criminal case for hire or reward, either received or to be received, shall be accepted as such unless he shall have been approved and registered as a professional bondsman by the superior court; provided, however, no person proposing to become bail or surety in a criminal case in any calendar year after having become bail or surety in criminal cases on five separate occasions in said year shall be accepted thereafter during said year as bail or surety unless he shall have been approved and registered as a professional bondsman as aforesaid.

**598-A:2 Revocation.** A person who has been accepted as bail or surety, contrary to the provisions of this chapter, shall nevertheless be liable on his obligation as such bail or surety. Such approval and registration may be revoked at any time by the superior court and shall be revoked in case such a bondsman fails for thirty days after demand to satisfy in full a judgment recovered under RSA 597:33. The county attorney or prosecuting officer obtaining any such judgment which is not satisfied in full as aforesaid shall, forthwith upon the expiration of such period of thirty days, notify in writing the chief justice of such court.

**598-A:3 Clerks to Notify District and Municipal Courts.** Each superior court clerk shall furnish all district and municipal courts in the county having authority to accept bail the names of all persons registered as professional bondsmen and shall notify such courts of any change in a bondsman's status.

**598-A:4 Rules Established by Court.** All professional bondsmen

shall be governed by rules which shall be established from time to time by the superior court.

**598-A:5 Penalty.** Any unregistered person receiving hire or reward for his services as bail or surety in any criminal case, and any unregistered person becoming bail or surety in any criminal case in any calendar year after having become bail or surety in criminal cases on five separate occasions in said year, and any professional bondsman violating any provision of the rules established hereunder for such bondsmen, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

**598-A:6 Exceptions.** The provisions of this chapter shall not apply to a fidelity, guaranty or surety company duly authorized to transact business in New Hampshire nor any duly authorized agent thereof. A person shall be deemed to have become bail or surety on a separate occasion within the meaning of this chapter if he becomes such: (1) for a person in respect to a single offense; or (2) for a person in respect to two or more offenses committed at the same time or arising out of the same transaction or course of conduct wherefor he at different times offers bail or surety; or (3) for two or more persons at the same time offering bail or surety in respect to offenses committed jointly or in a common course of conduct. Becoming bail or surety for the same person or persons in subsequent proceedings in connection with prosecution for the same offense or offenses shall not be deemed an additional occasion or occasions.

**156:2 Sureties in Criminal Cases.** Amend RSA 401:1 VII by striking out said paragraph and inserting in place thereof the following: VII. Insurance of the performance of contracts and to guarantee the fidelity and the faithful discharge of duties of persons holding positions of trust in private or public employment or responsibility, and may, if accepted and approved by the superior court, obligee or person competent to approve such bond, act as joint or sole surety upon the official bond or the bond, recognizance or other undertaking in civil and criminal procedure of any person or corporation to the United States, to the state, or to any county, city, town, judge of probate, or other court, sheriff, magistrate or other public officer, or to any corporation or association public or private; and also may act as joint or sole surety upon any bond or undertaking to any person or corporation or to the state conditioned upon the performance of any duty or trust, or for the doing or not doing of anything in said bond specified, and upon bonds to indemnify against loss any person or persons who are responsible as surety or sureties upon a written instrument or otherwise for the performance by others of any office, employment, contract or trust. If by law two or more sureties are required upon any obligation upon which such company is authorized to act as surety, it may act as joint or sole surety thereon, and may be ac-

cepted as such by the court, justice, magistrate or other officer or person authorized to approve the sufficiency of such bond or undertaking. The insurance commissioner shall transmit forthwith to each register of probate, to the clerk of each district and municipal court, to each clerk of the superior court and the clerk of the supreme court, the names of all corporate surety companies as they become or cease to be qualified to do business in the state.

**156:3 Repeal.** RSA chapter 598 relative to professional bondsmen is hereby repealed.

**156:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 2, 1967.]

[Effective date August 1, 1967.]

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## CHAPTER 157.

### AN ACT TO AUTHORIZE LAY OUT OF CLASS IV HIGHWAYS FINANCED BY FEDERAL-AID HIGHWAY FUNDS BY GOVERNOR AND COUNCIL.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**157:1 Powers to Lay Out Highways.** Amend RSA 232 by inserting after section 1 the following new section:

**232:1-a Class IV Highways Financed by Federal-aid Funds.** Class IV highways projects financed in whole or in part with federal-aid highway funds shall be laid out under the procedures set forth in RSA 233 for class I and class II highways, except for the payment of expenses by the state under RSA 233:25. The commissioner of public works and highways shall keep an account of the cost of the land and other property taken or acquired, and of the cost of the services and the expenses of the commissioners, appointed to lay out the highway, and the costs of litigation incurred by the commission in the taking of the land and property, and he shall make these costs and expenses a charge against the federal-aid highway project.

**157:2 Cities and Towns.** Amend RSA 232:2 by inserting after the words and figure "All class IV" the words (highways not financed in whole or in part with federal-aid highway funds, and class), so that the said section as amended shall read as follows: **232:2 Class IV, V, and VI.** All class IV highways not financed in whole or in part with federal-aid highway funds, and class V and VI highways shall be laid out by the mayor and aldermen of the city or the selectmen of the town in which such highways are located, or by the superior court as hereinafter provided.

**157:3 Lay out of Class IV, V, VI Highways.** Amend RSA 234:1 by inserting after the words and figure "new class IV" the words (highway not financed in whole or in part with federal-aid highway funds, and class), so that said section as amended shall read as follows: **234:1 Petition.** Selectmen of a town, upon petition, may lay out any new class IV highway not financed in whole or in part with federal-aid highway funds, and class V or VI highway or alter any such existing highway within their town for which there shall be occasion.

**157:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 2, 1967.]

[Effective date August 1, 1967.]

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## CHAPTER 158.

AN ACT RELATIVE TO THE UNIFORM GIFTS TO MINORS LAW AND PROVIDING  
FOR LIFE INSURANCE POLICIES AND ANNUITY CONTRACTS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**158:1 Life Insurance Policies, Annuity Contracts; Custodial Property.** Amend RSA 463-A:1, V (supp), as inserted by 1957, 74:1 and amended by 1961, 212:2, by striking out said paragraph and inserting in place thereof the following: V. The "custodial property" includes:

(a) all securities, life insurance policies, annuity contracts and money under the supervision of the same custodian for the same minor as a consequence of a gift or gifts made to the minor in a manner prescribed herein;

(b) the income from the custodial property; and

(c) the proceeds, immediate and remote, from the sale, exchange, conversion, investment, reinvestment, surrender or other disposition of such securities, money, life insurance policies, annuity contracts and income.

**158:2 Successor Custodian.** Amend RSA 463-A:1, VI (supp), as inserted by 1957, 74:1, by striking out said paragraph and inserting in place thereof the following: VI. A "custodian" is a person so designated in a manner prescribed in this act; the term includes a successor custodian.

**158:3 Guardian Appointed or Qualified by Court.** Amend RSA 463-A:1, VII (supp), as inserted by 1957, 74:1, by striking out said paragraph and inserting in place thereof the following: VII. A "guardian" of a minor means the general guardian, guardian, tutor or curator of his



property or estate appointed or qualified by a court of this state or another state.

**158:4 Life Insurance Policy and Annuity Contract Defined.** Amend RSA 463-A:1 (supp), as inserted by 1957, 74:1 and amended by 1961, 212:2, by inserting after paragraph XIV the following new paragraph: XV. A "life insurance policy or annuity contract" means a life insurance policy or annuity contract issued by an insurance company authorized to do business in this state on the life of a minor to whom a gift of the policy or contract is made in the manner prescribed in this act or on the life of a member of the minor's family.

**158:5 Vest Legal Title of Life Insurance Policy; Annuity Contract.** Amend RSA 463-A:3, I (supp), as inserted by 1957, 74:1, by striking out said paragraph and inserting in place thereof the following: I. A gift made in a manner prescribed in this act is irrevocable and conveys to the minor indefeasibly vested legal title to the security, life insurance policy, annuity contract or money given, but no guardian of the minor has any right, power, duty or authority with respect to the custodial property except as provided in this act.

**158:6 Powers of Custodian.** Amend RSA 463-A:4, VI (supp), as inserted by 1957, 74:1, by inserting in line one thereof after the word "convert" the word (surrender) so that said paragraph as amended shall read as follows: VI. The custodian may sell, exchange, convert, surrender or otherwise dispose of custodial property in the manner, at the time or times, for the price or prices and upon the terms he deems advisable. He may vote in person or by general or limited proxy a security which is custodial property. He may consent, directly or through a committee or other agent, to the reorganization, consolidation, merger, dissolution or liquidation of an issuer, a security which is custodial property, and to the sale, lease, pledge or mortgage of any property by or to such an issuer, and to any other action by such an issuer. He may execute and deliver any and all instruments in writing which he deems advisable to carry out any of his powers as custodian.

**158:7 Power of Custodian to Deal with Life Insurance Policies and Annuity Contracts.** Amend RSA 463-A:4 (supp), as inserted by 1957, 74:1 and amended by 1961, 212:5, by inserting after paragraph IX the following new paragraph: X. If the subject of the gift is a life insurance policy or annuity contract, the custodian: (a) in his capacity as custodian, has all the incidents of ownership in the policy or contract to the same extent as if he were the owner, except that the designated beneficiary of any policy or contract on the life of the minor shall be the minor's estate and the designated beneficiary of any policy or contract on the life of a person other than the minor shall be the custodian as custodian for the minor for whom he is acting; and (b) may pay premiums on the policy or contract out of the custodial property.

**158:8 Liability with Respect to Successor Custodians.** Amend RSA 463-A:6 (supp), as inserted by 1957, 74:1, by striking out said section and inserting in place thereof the following: **463-A:6 Exemption of Third Persons From Liability.** No issuer, transfer agent, bank, life insurance company, broker or other person acting on the instructions of or otherwise dealing with any person purporting to act as a donor or in the capacity of a custodian is responsible for determining whether the person designated as custodian by the purported donor or by the custodian or purporting to act as a custodian has been duly designated or whether any purchase, sale or transfer to or by or any other act of any person purporting to act in the capacity of custodian is in accordance with or authorized by this act, or is obliged to inquire into the validity or propriety under this act of any instrument or instructions executed or given by a person purporting to act as a donor or in the capacity of a custodian, or is bound to see to the application by any person purporting to act in the capacity of a custodian of any money or other property paid or delivered to him. No issuer, transfer agent, bank, life insurance company, broker or other person or financial institution acting on any instrument of designation of a successor custodian, executed as provided in paragraph I of section 7 of this chapter by a minor to whom a gift has been made in a manner prescribed in this act and who has attained the age of fourteen years, is responsible for determining whether the person designated by the minor as successor custodian has been duly designated, or is obliged to inquire into the validity or propriety under this act of the instrument of designation.

**158:9 Designation of Successor Custodian.** Amend RSA 463-A:7 (supp), as inserted by 1957, 74:1, by striking out said section and inserting in place thereof the following: **463-A:7 Resignation, Death or Removal of Custodian; Bond; Designation of Successor Custodian.** I. Only an adult member of the minor's family, a guardian of the minor or a trust company is eligible to become successor custodian. A custodian may designate his successor by executing and dating an instrument of designation before a subscribing witness other than the successor; the instrument of designation may but need not contain the resignation of the custodian. If the custodian does not so designate his successor before he dies or becomes legally incapacitated, and the minor has attained the age of fourteen years, the minor may designate a successor custodian by executing an instrument of designation before a subscribing witness other than the successor. A successor custodian has all the rights, powers, duties and immunities of a custodian designated in a manner prescribed by this act.

II. The designation of a successor custodian as provided in paragraph I takes effect as to each item of the custodial property when the custodian resigns, dies or becomes legally incapacitated and the custodian or his legal representative:

(a) causes the item, if it is a security in registered form or a life insurance policy or annuity contract, to be registered, with the issuing insurance company in the case of a life insurance policy or annuity contract, in the name of the successor custodian followed, in substance, by the word: "as custodian for (name of minor) under the New Hampshire Uniform Gifts to Minors Law"; and

(b) delivers or causes to be delivered to the successor custodian any other item of the custodial property, together with the instrument of designation of the successor custodian or a true copy thereof and any additional instruments required for the transfer thereof to the successor custodian.

III. A custodian who executes an instrument of designation of his successor containing the custodian's resignation as provided in paragraph I shall promptly do all things within his power to put each item of the custodial property in the possession and control of the successor custodian named in the instrument. The legal representative of a custodian who dies or becomes legally incapacitated shall promptly do all things within his power to put each item of the custodial property in the possession and control of the successor custodian named in an instrument of designation executed as provided in paragraph I by the custodian or, if none, by the minor if he has no guardian and has attained the age of fourteen years, or in the possession and control of the guardian of the minor if he has a guardian. If the custodian has executed as provided in paragraph I more than one instrument of designation, his legal representative shall treat the instrument dated on an earlier date as having been revoked by the instrument dated on a later date.

IV. If a person designated as custodian or as successor custodian by the custodian as provided in paragraph I is not eligible, dies or becomes legally incapacitated before the minor attains the age of twenty-one years and if the minor has a guardian, the guardian of the minor shall be successor custodian. If the minor has no guardian and if no successor custodian who is eligible and has not died or becomes legally incapacitated has been designated as provided in paragraph I, a donor, his legal representative, the legal representative of the custodian or an adult member of the minor's family may petition the court for the designation of a successor custodian.

V. A donor, the legal representative of a donor, a successor custodian, an adult member of the minor's family, a guardian of the minor or the minor, if he has attained the age of fourteen years, may petition the court that, for cause shown in the petition, the custodian be removed and a successor custodian be designated or, in the alternative, that the custodian be required to give bond for the performance of his duties.

VI. Upon the filing of a petition as provided in this section, the

court shall grant an order, directed to the persons and returnable on such notice as the court may require, to show cause why the relief prayed for in the petition should not be granted and, in due course, grant such relief as the court finds to be in the best interests of the minor.

**158:10 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 2, 1967.]

[Effective date August 1, 1967.]

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## CHAPTER 159.

AN ACT TO INCREASE THE PUBLIC REVENUE FROM THE TAX ON TOBACCO.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**159:1 Tax Increase.** Amend RSA 78:7 (supp) as amended by 1955, 256:1, 1965, 132:1 by striking out in lines two and sixteen the word "twenty-one" and inserting in place thereof the word (thirty) so that said section as amended shall read as follows: **78:7 Tax Imposed.** A tax upon the retail consumer is hereby imposed at the rate of thirty per cent upon the value of all tobacco products sold at retail in this state measured by the usual selling price. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the tobacco products in which such products usually are sold at retail, but the word "package" as used herein shall not include individual cigars, cigarettes, or plugs or hanks of chewing tobacco, and such stamps shall be affixed in denominations of not less than one-half cent to an aggregate value nearest the tax hereby imposed. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the constitution of the United States. Each unclassified importer shall within twenty-four hours after receipt of any unstamped tobacco products in this state notify the tax commission of the amount and brands of tobacco products received and the name and address of the consignor. The tax commission, thereupon, shall notify the unclassified importer of the amount of the tax due thereon, at the rate of thirty per cent of the value thereof. Payment of the amount due the state shall be made within ten days from the mailing date of the notice thereof. Any unclassified importer refusing to pay the tax on tobacco products imported by him within ten days after being notified of the amount of said tax by the tax commission, shall be subject to a fine of not less than twenty-five dollars or more than one hundred dollars.

**159:2 Discount Deduction.** Amend RSA 78:9 (supp) as amended by 1965, 132:2 by striking out in line five the word "four" and inserting in place thereof the words (three and one-half) so that said section as amended shall read as follows: **78:9 Stamps.** The tax commission shall

secure stamps, of such design and denomination as it shall prescribe, suitable to be affixed to packages of tobacco products, as evidence of the payment of the tax imposed by this chapter. The commission shall sell such stamps to licensed manufacturers, wholesalers and sub-jobbers at a discount of three and one-half per cent of their face value to encourage manufacturers, wholesalers and sub-jobbers to affix such stamps and compensate them for so doing, and to licensed vending machine operators and retailers at their face value. The tax commission may in its discretion permit a licensed manufacturer, wholesaler, sub-jobber, vending machine operator or retailer to pay for such stamps within thirty days after the date of purchase, provided a bond satisfactory to the tax commission in an amount not less than the sale price of such stamps shall have been filed with the commission, conditioned upon the payment of such stamps. The tax commission shall keep accurate records of all stamps sold to each manufacturer, wholesaler, sub-jobber, vending machine operator and retailer and shall pay over all receipts from the sale of such stamps to the state treasurer daily.

**159:3 Temporary Provisions.** The director of the division of tobacco products is hereby authorized and empowered to require from tobacco products tax licensees a report of all tobacco products or tobacco tax indicia on hand or in stock whenever deemed necessary for the purpose of collecting the additional tax imposed by this act so far as applicable to tobacco products in the possession of licensees at the time this act becomes effective. He may prescribe such reasonable method and manner by which such licensees shall pay the additional taxes required in order to conform with this act. The provisions of RSA 78:14 are hereby suspended for such length of time as will enable said licensees to dispose of such tobacco products as they have on hand and in stock on the date this law takes effect provided, however, that the additional tax imposed by this act has been paid. Any license may be revoked by the director of the division of tobacco products for failure to comply with the provisions of this section.

**159:4 Appropriation.** In order to insure the payment of the tax upon tobacco products on hand and in the possession of licensees at the time this act becomes effective the state tax commission is hereby authorized to employ such temporary help as may be necessary and procure such supplies, stamps, and other things necessary for the purpose and the sum of three thousand five hundred dollars is hereby appropriated to defray the cost thereof. Said appropriation shall not lapse at the end of the fiscal year but shall continue and be available so long as there is need therefor. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

**159:5 Effective Date.** Section 4 of this act shall take effect upon passage. Sections 1, 2 and 3 shall take effect July 1, 1967.

[Approved June 2, 1967.]

[Effective date — section 4 June 2, 1967.]

Remainder of act as specified.]

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## CHAPTER 160.

### AN ACT PROVIDING FOR AN ADDITIONAL APPROPRIATION FOR EXPENSES OF THE LEGISLATURE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**160:1 Supplemental Appropriation.** The sum of one hundred and seventy-five thousand dollars is hereby appropriated for the fiscal year ending June 30, 1967, for expenses of the legislature. This appropriation shall be in addition to any other sums appropriated for the legislature, shall not lapse and shall not be transferred to any department, institution or account. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money not otherwise appropriated.

**160:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 7, 1967.]

[Effective date June 7, 1967.]

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## CHAPTER 161.

### AN ACT RELATIVE TO KILLING DOGS FOUND PURSUING OR KILLING GAME OR DOMESTIC ANIMALS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**161:1 Damage to Game and Domestic Animals.** Amend RSA 466:36 by striking out said section and inserting in place thereof the following:  
**466:36 Killing Dogs.** Any conservation officer may kill any dog found in the act of maiming or in close pursuit of deer, moose, caribou, sheep, cattle, swine or poultry. No civil action for recovery of damages shall lie against any conservation officer while acting under authority granted herein. The owner or owners of any dog or dogs caught in the act of maiming or in close pursuit of deer, moose, caribou, sheep, cattle, swine or poultry, may be fined not more than three hundred dollars.

**161:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 9, 1967.]

[Effective date June 9, 1967.]

**CHAPTER 162.**

AN ACT TO REPEAL A DUPLICATION OF A STATUTE RELATING TO SALE OF  
LIQUOR IN FIRST CLASS RESTAURANTS ON SUNDAY.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**162:1 Repeal.** RSA 176:11-a as inserted by 1961, 148:1 relating to  
sale of liquor or beverages in first class restaurants on Sunday is repealed.

**162:2 Effective Date.** This act shall take effect sixty days after its  
passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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**CHAPTER 163.**

AN ACT RELATIVE TO LIMITATION ON GROUP INSURANCE FOR STATE  
EMPLOYEES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**163:1 Group Insurance, State Employees.** Amend subparagraph (d)  
of paragraph (7) of RSA 408:15 (supp) as inserted by 1963, 99:1 by strik-  
ing out the words "three thousand dollars" and inserting in place thereof  
the words (the annual compensation of the employee) so that said sub-  
paragraph as amended shall read as follows: (d) The amounts of insur-  
ance under the policy must be based upon some plan precluding in-  
dividual selection by the members and shall in no event exceed the annual  
compensation of the employee.

**163:2 Effective Date.** This act shall take effect sixty days after its  
passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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**CHAPTER 164.**

AN ACT RELATIVE TO USE OF DIVIDENDS RECEIVED IN STATE EMPLOYEES  
GROUP INSURANCE PLAN.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**164:1 State Employees Group Insurance.** Amend RSA 101-A:7, as  
inserted by 1963, 327:1 by striking out the words "to assist in financing  
the program or" in line four and inserting in place thereof the words (to

be) so that said section as amended shall read as follows: **101-A:7 Dividends.** Any dividends which may be received from this life insurance program and the group hospitalization, hospital medical care, surgical care and other medical and surgical benefits, shall be paid to the state to be used to extend greater coverage by increasing the face value of the life insurance program.

**164:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 9, 1967.]

[Effective date June 9, 1967.]

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## CHAPTER 165.

AN ACT RELATIVE TO FEES IN CONNECTION WITH ARRESTS IN TAX CASES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**165:1 Collection of Taxes; Fees.** Amend RSA 80:45 by striking out said section and by inserting in place thereof the following: **80:45 Making Arrest.** Each tax collector shall receive the following fees for the services listed to be paid by the delinquent taxpayer.

I. For making an arrest and committing the delinquent taxpayer to jail or house of correction, four dollars.

II. Mileage from collector's home or office to place of arrest, and from point of arrest to jail or house of correction and return to his home or office, ten cents per mile.

III. For an attested copy of warrant for arrest, one dollar.

**165:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 166.

AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**166:1 Defining Powers and Duties of Department of Resources and Economic Development.** Amend RSA 12-A by inserting after section 1-b (supp) as inserted by 1961, 223:2 the following new section: **12-A:1-c Powers and Duties of Department of Resources and Economic Develop-**



**ment.** In addition to any other powers and duties set forth in this chapter or as otherwise provided by statute, the department of resources and economic development shall have the power and duty to plan and conduct a program of information and publicity to attract tourists, visitors, industrial concerns and other interested persons from outside the state to the state of New Hampshire, and also to encourage, coordinate, and participate in the efforts of other public and private organizations or groups of citizens in order to publicize the facilities, industrial advantages and other attractions of the state for the same purposes. The commissioner shall assign, with the approval of the advisory commission, such duties and functions to the three divisions of the department, as in his discretion will best effectuate the purposes, powers and duties set forth in this section and as otherwise provided by statute.

**166:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 9, 1967.]

[Effective date June 9, 1967.]

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## CHAPTER 167.

AN ACT RELATIVE TO RECORDS IN DISTRICT AND MUNICIPAL COURTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**167:1 District and Municipal Courts.** Amend RSA 596-A:2 (supp) as inserted by 1965, 116:1 by striking out said section and inserting in place thereof the following: **596-A:2 Record.** Every district or municipal court shall, upon motion made by an accused in a preliminary examination for probable cause, at least five days before the date of hearing or any adjournment thereof, cause a written transcript to be made of all proceedings before said court at the expense of the defendant, or in the case of an indigent defendant in accordance with the provisions of RSA 604-A. Every district or municipal court, upon its own motion, may cause a written transcript to be made of proceedings given at a preliminary examination in any case where the magnitude of the offense may seem to require it.

**167:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

**CHAPTER 168.**

AN ACT RELATIVE TO MILITARY LEAVE FOR CERTAIN STATE EMPLOYEES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**168:1 Militia Leave.** Amend RSA 112:9 by striking out said section and inserting in place thereof the following: **112:9 State Employees.** Any regular employee of the state of New Hampshire who is a member of any reserve component of the armed forces of the United States or of this state, shall, upon request, be entitled to not more than fifteen days leave of absence with pay in any one calendar year for the purpose of engaging in military drill, training, or other temporary duty under military or naval authority. The provisions of this section shall not apply to any such employee who has been inducted or has enlisted in active service in the armed forces of the United States.

**168:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 9, 1967.]

[Effective date June 9, 1967.]

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**CHAPTER 169.**

AN ACT RELATIVE TO DISSOLUTION OF VILLAGE DISTRICTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**169:1 Village Districts.** Amend RSA 52:21 by striking out the same and inserting in place thereof the following: **52:21 Dissolution.** Any village district and any district now in existence having the rights and powers of a village district, may, at an annual meeting, by a two-thirds vote of its legal voters, terminate its existence and dispose of its corporate property. Upon the dissolution of any such district, the property, real and personal, which is contained within the former boundaries of the dissolved district shall continue to be subject to taxation and betterment assessments for the purpose of paying any unpaid bonds, notes, bills or other obligations incurred while the district was in existence, in the same manner as if the said district had not been dissolved. The selectmen of the town or towns in which the district was situated shall assess the taxes and betterment assessments in the same manner as if the district had not been dissolved and shall have the duty, authority, and power to pay such bonds, notes, bills or other obligations from the moneys received from such taxes and assessments. Provided, however, that in no case shall the total of any such taxes or assessments exceed the balance necessary to pay said bonds, notes, bills or other obligations after the net income de-

rived from the property disposed of has been applied for the payment of the same.

**169:2 Effective Date.** This act shall take effect upon passage.

[Approved June 9, 1967.]

[Effective date June 9, 1967.]

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## CHAPTER 170.

### AN ACT PROVIDING FOR AN OPEN SEASON ON QUAIL.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**170:1 Open Season.** Amend RSA 209 by inserting after section 4 as amended by 1967, 2:1 the following new section: **209:4-a Quail.** Quail or bobwhite may be taken and possessed by the use of shotguns only, from October 1 to December 1. No person shall take more than five quail in one day, nor more than twenty-five in one season.

**170:2 Prohibition Removed.** Amend RSA 209:4 as amended by 1967, 2:1 by striking out the words "quail or bobwhite" so that said section as amended shall read as follows: **209:4 Wood Ducks, etc.** There shall be no open season for wood duck, except by federal regulations, European partridge, spruce grouse, wild turkey, chukar partridge, and upland plover.

**170:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 171.

### AN ACT PROVIDING THAT THE BURIAL EXPENSES OF CERTAIN VIET NAM VETERANS BE PAID BY THE STATE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**171:1 Payment Extended.** Amend RSA 165:16 (supp) as amended by 1959, 77:1 and 1965, 87:1 by inserting in line four after the word "Conflict," the words (or Viet Nam Conflict) so that said section as amended shall read as follows:

**165:16 Burial Expenses.** Whenever any member or former member of the armed forces of the United States, who served in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection,

Boxer Rebellion, World War I or World War II, or Korean Conflict, or Viet Nam Conflict, as defined in section 17, for a total period of ninety days (unless sooner released from such service by reason of disability incurred in service) and whose services were terminated under conditions other than dishonorable, dies and the commander or adjutant of any recognized veterans' organization of which he was a member, or the majority of the selectmen of the town or the mayor of the city in which such veteran dies, if he or she was not a member of such organization, shall certify under oath to the state veterans' council that such veteran did not leave sufficient estate to pay the expenses of his or her funeral, the governor shall draw a warrant in favor of the funeral director in charge of burial, for a sum not exceeding one hundred dollars to defray such burial expenses, provided that the total amount of the funeral expense does not exceed five hundred dollars. Within one year from the time of burial of said veteran an account, verified by vouchers, of the sums so spent for burial expenses shall be sent to the state veterans' council by said funeral director in charge of burial. Whoever neglects or refuses to furnish said account shall be fined ten dollars.

**171:2 Definition Inserted.** Amend RSA 165:17 (supp) as amended by 1965, 69:1 by inserting at the end the following new paragraph: VII. "Viet Nam Conflict" between August 5, 1964 and the end of hostilities as declared by Congress.

**171:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 172.

### AN ACT RELATIVE TO HUNTING WITH BOW AND ARROW.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**172:1 Hunting Deer.** Amend RSA 208:5 as amended by 1955, 136:1 and 1959, 74:1 by striking out said section and inserting in place thereof the following: **208:5 Bow and Arrow.** Any resident upon the payment of a fee of four dollars, or any nonresident upon the payment of a fee of ten dollars, shall be issued a special archery license. Said special archery license shall entitle the holder to hunt deer with bow and arrow for the period from October first to the end of the current deer season of each year throughout the state and in Bear Brook Refuge under the following conditions. Said special archery license shall also entitle the holder to hunt wild animals, game animals and game birds with bow and arrow during the open season therefor under the following conditions. If said

nonresident not holding a New Hampshire hunting license shall be a person under sixteen years of age he shall not be entitled to hunt under said special archery license except when accompanied by a properly licensed person who is twenty-one years of age or over. A special archery license shall not be required for residents less than sixteen years of age, but such person while hunting with bow and arrow must be accompanied by a properly licensed person who is twenty-one years of age or over, and must further comply with all the provisions of this chapter. No person hunting under the provisions hereof shall carry any firearms and no deer shall be taken with firearms under the archery license. Provided that the prohibition against carrying firearms shall not apply to persons properly licensed to carry firearms. Any person taking deer under the provisions of this section shall notify a conservation officer within forty-eight hours of such taking.

**172:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 173.

### AN ACT RELATIVE TO CARELESS DISCHARGE OF FIREARMS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**173:1 Firearms.** Amend RSA 207 by inserting after section 37 the following new section: **207:37-a Careless Discharge of Firearms.** Any person who shall carelessly discharge any firearm while on a hunting trip, in the field, or while target practicing, in such a manner that the life of any person is endangered or so as to cause damage to the property of another person shall be fined not more than five hundred dollars or imprisoned not more than six months or both, and at the discretion of the director, the hunting license of such a person may be revoked for a period not to exceed three years.

**173:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

**CHAPTER 174.****AN ACT RELATING TO LIABILITY FOR PAYMENTS FOR BOARD AND CARE OF  
CHILDREN COMMITTED TO INDUSTRIAL SCHOOL WHEN  
RELEASED TO FOSTER HOMES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**174:1 Industrial School.** Amend RSA 621 by inserting after section 19 the following new sections: **621:19-a Children in Foster Homes.** Notwithstanding the provisions of section 19, whenever the trustees release any child and contract for his board and care in a foster home which has been approved by department of health and welfare payment for such board and care shall be a charge upon the town (or county) in accordance with the provisions of section 19-b.

**621:19-b Liability of Town or County.** Whenever a minor is committed to the industrial school the town or county where said minor resided at the time of said committal shall be liable for his care and support at a foster home as provided by section 19-a. Any town or county furnishing such assistance shall be entitled to recover from the parents of such minor child the sum or sums paid out for such assistance provided the parents of either of them shall be deemed able to assist such minor.

**174:2 Effective Date.** This act shall take effect July 1, 1967.  
[Approved June 9, 1967.]  
[Effective date July 1, 1967.]

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**CHAPTER 175.****AN ACT CHANGING THE DATE FOR FILING ANNUAL REPORTS OF SMALL LOANS  
COMPANIES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**175:1 Annual Reports of Small Loans Companies.** Amend RSA 399-A:21, III (supp) as inserted by 1961, 245:1 by striking out in line one the word and figure "September 1st" and inserting in place thereof the words (August first); and by striking out in line twenty-three the words "September first" and inserting in place thereof the words (August first) so that said paragraph as amended shall read as follows: III. Each licensee shall, on or before August first of each year, file with the commissioner a report of operations of the licensed business for the preceding fiscal year. Such report shall give information with respect to the financial condition of the licensee and shall include balance sheets at the beginning and end of the year; statement of income and expenses for the

period; reconciliation of surplus or net worth with the balance sheets; schedule of assets used and useful in the licensed business; classification of loans made by size and security; an analysis of charges including monthly average number and amount of loans outstanding; analysis of delinquent accounts, and court actions undertaken to effect collection. Such report shall be made under the penalties of perjury and shall be in the form prescribed by the commissioner, who shall annually make and publish an analysis and recapitulation of such reports. In the event any person or affiliated group of persons holds more than one license in the state, they may file a composite annual report, in lieu of separate reports for each licensed office provided a short form of report for each licensed place of business shall be included showing the number and amount of loans made during the year and the number and amount of loans outstanding at the beginning and end of the year. Any licensee failing to make the report required by this paragraph within the time prescribed shall pay to the commissioner the sum of five dollars for each day said report is overdue. If a licensee elects to file a composite report and such composite report is not filed on or before August first as herein required the penalty herein prescribed shall apply separately for each license held. Penalties collected hereunder shall be credited to the fund established under section 13.

**175:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 176.

### AN ACT TO ANNEX CERTAIN NEW HAMPSHIRE ISLANDS OF THE ISLES OF SHOALS TO THE TOWN OF RYE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**176:1 Statutes Continued in Effect.** The act of 1715, dated December 24, voting "That Star Island one of ye Isles of Shoales be a town by the name of Gosport.", 1 Laws of N. H. 201; and Laws of 1876, chapter 40 entitled "An Act to annex the town of Gosport to the town of Rye" are continued in force except as amended or superseded by this act.

**176:2 Annexation of White and Seavey's Islands.** The islands known as White Island and Seavey's Island, which are one island at low tide, being the southernmost of the Isles of Shoals off the entrance of Piscataqua River, and being located about nine miles from Portsmouth harbor, and parts or all of which were ceded to the United States with certain reservations of jurisdiction by Laws of 1820, chapter 15, and which are

designated as one island called "White Island" on the United States Department of Interior Geological Survey, Isle of Shoals quadrangle map, Maine-New Hampshire, scale of 1:24000, dated 1956, are annexed to the town of Rye, and the inhabitants of these islands are invested with all duties, powers, and privileges which are invested by law to inhabitants of any town within the state.

**176:3 Annexation of Lunging Island.** The island known as Lungin or Lunging or Loungin or Honeymoon or Londoners, being one of the Isles of Shoals off the entrance of Piscataqua River and being located about nine miles southeast of Portsmouth harbor, and designated as "Lunging Island" on the United States Department of the Interior Geological Survey, Isle of Shoals quadrangle map, Maine-New Hampshire, scale 1:24000, dated 1956, the title of which was conveyed to one John W. Tucker, of Rye, N. H. by Laws of 1831, chapter 123, is annexed to the town of Rye. The inhabitants of the island are invested with all duties, powers, and privileges which are invested by law in the inhabitants of any town within the state.

**176:4 Annexation of Rocks and Ledges of the Isles of Shoals.** All of the rocks and ledges of the Isles of Shoals, including those known as White Island Ledge, Square Rock, and Halfway Rocks which are located in this state and designated as being named as such and in this state on the United States Department of the Interior Geological Survey, Isle of Shoals quadrangle map, Maine-New Hampshire, scale of 1:24000, dated 1956, are annexed to the town of Rye.

**176:5 Repeal.** Laws of 1877, chapter 37 relating to the creation of a police district in Gosport and the expenditure of taxes collected in Gosport for Gosport purposes, and Laws of 1879, chapter 37, amending Laws, 1877, chapter 37, which relate to payment of pauper claims by Gosport, are repealed.

**176:6 Inconsistent Acts Superseded.** All acts or parts of acts not repealed by section 5 of this act, and which relate to the Isles of Shoals and which are inconsistent with this act, are superseded on the passage of this act.

**176:7 Effective Date.** This act shall take effect upon its passage.  
[Approved June 9, 1967.]  
[Effective date June 9, 1967.]



**CHAPTER 177.**

AN ACT INCREASING THE STAFF OF THE NEW HAMPSHIRE NATIONAL GUARD.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**177:1 Assistant Chiefs of Staff Established.** Amend RSA 110-A:9 (supp) as inserted by 1957, 147:1 and 1965, 182:1, by striking out in line two the words "an assistant chief of staff" and inserting in place thereof the words (one assistant chief of staff for the army and one assistant chief of staff for the air force, both) so that said section as amended shall read as follows: **110-A:9 Staff for the National Guard.** There shall be under the adjutant general as chief of staff, one assistant chief of staff for the army and one assistant chief of staff for the air force, both with the rank of brigadier general, and a staff for the national guard. The staff shall consist of such officers as shall be designated in general orders; and it shall perform such functions and duties as the adjutant general may prescribe.

**177:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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**CHAPTER 178.**

AN ACT RELATING TO THE TIMES AND PLACES OF HOLDING COURTS OF  
PROBATE FOR HILLSBOROUGH COUNTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**178:1 Hillsborough.** Amend RSA 549:6 (supp) as amended by 1955, 152:1 by striking out said section and inserting in place thereof the following: **549:6 Hillsborough.** For the county of Hillsborough, — at Manchester, starting with the first Wednesday after the second day of January and every other Wednesday through the month of June, and starting with the second Wednesday in July and every other Wednesday through the month of December. At Nashua, starting with the second Wednesday after the second day of January and every other Wednesday through the month of June, and starting with the third Wednesday in July and every other Wednesday through the month of December, provided however, no probate court will be held upon legal holidays or from December 23 through January 2 inclusive.

**178:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 9, 1967.]

[Effective date July 1, 1967.]

**CHAPTER 179.****AN ACT RELATIVE TO PARTIAL PAYMENT IN REDEMPTION OF REAL ESTATE  
SOLD FOR TAXES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**179:1 Procedure for Handling Partial Payments.** Amend RSA 80:33-a (supp) as inserted by 1965, 18:1 by striking out said section and inserting in place thereof the following: **80:33-a Partial Payments in Redemption.** Any person interested in real estate so sold may make partial payments in redemption in sums of five dollars or multiples thereof to the collector of taxes who shall receive the same and give a receipt therefor. The collector shall pay over such sums to the town treasurer. If complete redemption is not made before a deed of the real estate sold is given to the purchaser, the collector of taxes shall within ten days direct the selectmen to issue an order upon the town treasurer to refund to the person making such partial payments or his heirs or assigns the sum so paid. The selectmen shall promptly issue such order. If the order is not issued within thirty days of the time the collector directs that the order be issued, the sum to be refunded shall draw interest at the rate of six per cent per annum from the date the sum was directed to be paid to the date of actual payment.

**179:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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**CHAPTER 180.****AN ACT TO LIMIT THE PERIOD FOR APPLICATION TO THE SELECTMEN OR  
ASSESSORS FOR AN ABATEMENT OF A TAX TO FOUR MONTHS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**180:1 Abatement of Taxes.** Amend RSA 76:16 by striking out the section and inserting in its place the following: **76:16 By Selectmen or Assessors.** Selectmen or assessors, for good cause shown, may abate any tax assessed by them or by their predecessors. Any person aggrieved by the assessment of a tax and who has complied with the requirements of RSA 74, may, within four months after notice of the tax, and not afterwards, apply in writing to the selectmen or assessors for an abatement of the tax.

**180:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 181.

AN ACT RELATING TO PUBLIC UTILITY SERVICE BY FOREIGN CORPORATIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**181:1 Foreign Corporations; Public Utility Service.** Amend RSA 374:24 by striking out in lines one and two the words "the preceding section" and inserting in place thereof the words and figure (under section 22) and by adding at the end of said section the words (Corporations which are public utilities organized under the laws of another state and which furnish utility service in towns outside the state may furnish utility service to New Hampshire towns adjacent to the state boundaries when such service is found by the public utilities commission to be in the public interest) so that said section as amended shall read as follows: **374:24 Foreign Corporation.** No permission under section 22 shall be granted to any corporation not organized under the laws of this state, and no authority to transfer or lease the franchises, works or system, or any part of the franchises, works or system of any public utility in this state to any such corporation shall be granted under section 30. Corporations which are public utilities organized under the laws of another state and which furnish utility service in towns outside the state may furnish utility service to New Hampshire towns adjacent to the state boundaries when such service is found by the public utilities commission to be in the public interest.

**181:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 182.

AN ACT TO CLARIFY CERTAIN STATUTES RELATING TO THE DEPARTMENT OF SAFETY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**182:1 Amount of Deduction.** Amend RSA 106-B:10 as amended by 1955, 120:1 and 1961, 166:4 by striking out the words "municipal court which would under the provisions hereof be payable to the director of motor vehicles the municipal court shall before forwarding, deduct five dollars from each fine and ten per cent of that part of the fine which exceeds five" in lines fourteen, fifteen, sixteen and seventeen and inserting in place thereof the words (district or municipal court which would under the provisions hereof be payable to the director of motor vehicles the district or municipal court shall before forwarding, deduct ten dollars from each fine and twenty per cent of that part of the fine which exceeds ten) so that the section as amended shall read as follows: **106-B:10 Disposition of Fines and Forfeitures.** Any fee for the performance of an act in line of duty or reward for the apprehension or conviction of any person, for the recovery of any property, received by or payable to an employee, shall be paid by him to the director of motor vehicles who shall immediately forward the same to the state treasurer. All fines and forfeitures assessed against any violator of any law of the state relative to the use and operation of motor vehicles apprehended or prosecuted by a police employee shall be sent, except as hereinafter provided, by the court collecting the same from such law violator to the director of motor vehicles within seven days from their payment, and by him immediately paid into the state treasury. The director of motor vehicles shall forward to the director of state police such information as he may direct relative to said fees and fines. In case of fines collected hereunder by a district or municipal court which would under the provisions hereof be payable to the director of motor vehicles the district or municipal court shall before forwarding, deduct ten dollars from each fine and twenty per cent of that part of the fine which exceeds ten dollars. Said fines shall be disposed of as provided in RSA 502:14.

**182:2 State Police.** Amend RSA 106-B:12, as amended by 1961, 166:4, by inserting after the word "criminal" in line seven the words (laws of the state and to serve criminal) so the section as amended will read as follows: **106-B:12 Authority and Duties of Police Employees.** Police employees shall be ex-officiis constables throughout the state, shall patrol the highways, enforce the highway traffic laws and regulations, enforce the motor vehicle laws relative thereto, and the director, division of state police, shall report to the director, division of motor vehicles, all violations of and prosecutions under the motor vehicle laws. Police employees shall have general power to enforce all criminal laws of the state and to serve criminal processes and make arrests, under proper warrants, in all counties. They shall not serve civil processes. No police employee shall act, be used or called upon for service within any town in any industrial dispute unless actual violence has occurred therein, and then only upon order of the governor. When any police

employee shall apprehend any person who has committed or attempted to commit a felony the director shall immediately make a report to the attorney and the sheriff of the county in which the offense was, or was suspected of being, committed and such cases shall be investigated and prosecuted by said county officials with the cooperation of said police employees.

**182:3 District and Municipal Courts.** Amend RSA 262:35, as amended by 1957, 110:1 by striking out the words "municipal court, there shall be deducted five dollars and ten per cent of that part of the fine which exceeds five" in lines six, seven and eight and inserting in place thereof the words (district or municipal court, there shall be deducted ten dollars and twenty per cent of that part of the fine which exceeds ten) so that the section as amended will read as follows: **262:35 Disposition of Receipts.** All fees, fines and forfeitures received by any person under the provisions of any laws of the state relative to the use and operation of motor vehicles, shall be paid to the director within seven days after the receipt thereof, and all moneys received by the director shall be paid monthly to the state treasurer. Provided, however, that from each fine and forfeiture collected by a district or municipal court, there shall be deducted ten dollars and twenty per cent of that part of the fine which exceeds ten dollars, and the same shall be disposed of as provided in RSA 502:14. Provided further that any fine or forfeiture collected by the superior court shall be retained to the benefit of the county, and disposed of as provided in RSA 499:5.

**182:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 183.

### AN ACT RESTRICTING THE USE OF SEINES, NETS AND WEIRS FOR THE TAKING OF ALEWIVES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**183:1 Taking Alewives by Seines, Nets and Weirs Restricted.** Amend RSA 211 by inserting after section 48 as amended by 1959, 306:2 the following new section: **211:48-a Alewives.** No person shall use a seine or net or weir for the taking of alewives from the waters of New Hampshire unless he is a bona fide resident of the state.

**183:2 Fine Imposed.** Amend RSA 211:58 as amended by 1955, 308:5 and 1957, 251:2 by inserting in line two after the numeral "48" the numeral (48-a) so that said section as amended shall read as follows:

**211:58 Penalties.** A person who violates a provision of this subdivision shall be fined as follows: For each violation of sections 46, 48, 48-a, 49 and 50, not more than fifty dollars; of section 55, not more than ten dollars.

**183:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 184.

### AN ACT AUTHORIZING THE MICROFILMING OF PROBATE RECORDS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**184:1 Microfilms.** Amend RSA 548:5 by inserting after the word "claimed" in line five the words (The register may, in addition to or in lieu of other recording, cause the originals of documents filed with him to be photographed and preserved on microfilm) so that said section as amended shall read as follows: **548:5 Records.** He shall record, in suitable books prepared for that purpose, the amount of footing of each class of property, as specified in the inventory; all wills and their probate; all proceedings with regard to real estate; all accounts settled, and all orders, decisions, and appointments from which an appeal may be claimed. The register may, in addition to or in lieu of other recording, cause the originals of documents filed with him to be photographed and preserved on microfilm.

**184:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 185.

### AN ACT RELATIVE TO SUSPENSION OF DRIVERS' LICENSES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**185:1 Drivers' Licenses.** Amend RSA 262-A:65 as inserted by 1963, 330:1 by striking out said section and inserting in place thereof the

following: 262-A:65 **Suspension of License; Recognizance Required on Appeal.** Whenever any person convicted of a violation of section 61 or 62 appeals, the municipal or district court or justice shall order the person appealing to recognize in the sum of one hundred dollars, with sufficient sureties, to keep the peace and be of good behavior until such appeal has been finally disposed of. If the person appealing fails to recognize in said sum, the municipal or district court or justice shall forthwith suspend the license of such person. If during such appeal period, such person is convicted of another violation of section 61 or 62, unrelated to the prior conviction, the municipal or district court or justice shall, upon receiving notice of such conviction, immediately suspend the license of such person, shall declare the recognizance forfeited, and shall request the county attorney to cause proceedings to be had immediately for the recovery of such forfeiture, such proceedings to be subject to the provisions of RSA 597:33, 34, 35, 36, and 38. Upon suspension of the license of such person either upon failure to recognize after conviction or during the appeal period as hereinabove provided, in case of holders of New Hampshire licenses, the municipal or district court or justice shall return such licenses together with the court return to the director, who shall not reissue said license until such person is acquitted. If the person so appealing is convicted, and has had his license suspended during the appeal period for failure to recognize in the required sum, the period of suspension shall be computed from the date of the initial conviction. If the person so appealing is convicted and has not had his license suspended because he has recognized in the required sum, or has had his license suspended because of a second conviction during the appeal period, the period of suspension shall commence upon the date of his final conviction upon such appeal.

**185:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 186.

AN ACT REPEALING PROVISIONS RELATIVE TO BOUNTY ON GRASSHOPPERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**186:1 Bounties on Locusts or Grasshoppers.** RSA 470:3 providing for bounties on the destruction of Rocky Mountain locusts or grasshoppers is hereby repealed.

**186:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 187.

### AN ACT REQUIRING A FORECLOSURE DEED UNDER A POWER OF SALE MORTGAGE BY THE MORTGAGEE TO THE PURCHASING PARTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**187:1 Foreclosure Deed.** Amend the first paragraph of RSA 479:25 by inserting after the word “power” in line four the words (including the giving of a foreclosure deed upon the completion of said foreclosure) so that the paragraph as amended shall read as follows: Instead of such suit and decree of sale, the mortgagee or person having his estate in the premises, or any person authorized by the power of sale, may, upon breach of the condition, give such notices and do all such acts as are authorized or required by the power; including the giving of a foreclosure deed upon the completion of said foreclosure; but no sale under and by virtue of such power shall be valid and effectual to foreclose such mortgage, unless the following conditions are complied with:

**187:2 Foreclosure Deed.** Amend RSA 479:26 by inserting after the word “cause” in line two the words (the foreclosure deed) so the section as amended shall read as follows: **479:26 Return; Effect.** The person selling pursuant to the power shall, within thirty days after the sale, cause the foreclosure deed, a copy of the notice of the sale, and his affidavit setting forth fully and particularly his acts in the premises, to be recorded in the registry of deeds in the county where the property is situated; and such affidavit, or a duly certified copy of the record thereof, shall be evidence on the question whether the power of sale was duly executed.

**187:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]



**CHAPTER 188.****AN ACT ADOPTING A RABIES CONTROL ACT.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**188:1 New Chapter.** Amend RSA by inserting after chapter 442 the following new chapter:

**Chapter 442-A****Rabies Control Act**

**442-A:1 Definitions.** For the purposes of this chapter the following words shall be construed as follows:

I. "Dog" shall mean any canine animal, male or female, sexed or neutered.

II. "Vaccination against rabies" shall mean the inoculation of a dog with a rabies vaccine licensed by the United States Department of Agriculture. Such vaccination must be performed by a veterinarian duly licensed to practice veterinary medicine.

III. "Own" unless otherwise specified shall mean to keep, harbor, or have control, charge, or custody of a dog. This term shall not apply to dogs owned by others which are temporarily maintained on the premises of a veterinarian or kennel operator.

IV. "Owner" shall mean any person keeping, harboring, or having charge or control of, or permitting any dog to habitually be or remain on, or be lodged or fed within such person's house, yard, or premise. This term shall not apply to veterinarians or kennel operators temporarily maintaining on their premises dogs owned by others.

V. "Stray" shall mean any dog that has wandered beyond limits of confinement or is lost and does not possess any tags of identification.

VI. "Transient dogs" shall mean any out of state dog temporarily housed in this state for any purpose.

VII. "Commissioner" shall mean the commissioner of agriculture.

VIII. "Rabies control authority" shall mean duly authorized person or persons responsible for issuing dog licenses.

**442-A:2 Rabies Vaccination Required.** Every dog three months of age and older shall be vaccinated against rabies. Young dogs shall be vaccinated within thirty days after they have reached three months of age. Unvaccinated dogs acquired or moved into the state must be vaccinated within thirty days after purchase or arrival, unless under three months of age, as specified above. Every dog shall be revaccinated

at not more than twelve-month intervals with killed vaccine or thirty-six months chick embryo, LEP Flury Vaccine. In rabies infected areas, dogs recently vaccinated should be kept under control for at least thirty days before being allowed to run free.

**442-A:3 Duties of Veterinarian.** It shall be the duty of each veterinarian, at time of vaccinating any dog, to complete a certificate of rabies vaccination (in triplicate) which includes the following information: Owner's name and address, description of dog (breed, sex, markings, age, name), date of vaccination, rabies vaccination tag number, type of rabies vaccine administered, and manufacturer's serial number of vaccine. Distribution of copies of certificate shall be: The original forwarded to the department of agriculture; first copy to owner; and the second copy retained by the issuing veterinarian. The veterinarian and the owner shall retain their copies for the interval between vaccinations specified in section 2. A metal or durable plastic tag, serially numbered, shall be securely attached to the collar or harness of the dog. Whenever the dog is out-of-doors, whether on or off the owner's premises, the collar or harness with the vaccination tag must be worn.

**442-A:4 Cost.** The cost of rabies vaccination shall be paid by the owner of the dog.

**442-A:5 Transient Dogs.** The provisions of this chapter with respect to vaccination shall apply to any dog owned by a person temporarily remaining within the state of New Hampshire, or any dog or dogs brought into the state for field trial, show purposes, transient hunting dogs, or for racing, each dog must be accompanied by individual rabies certificates and tags showing date of vaccination and type of vaccine used with expiration date. This provision does not apply to dogs in carnival, circus or vaudeville trained acts.

**442-A:6 Impoundment of Rabies Suspects.** Any dog suspected of being afflicted with rabies, or any dog not vaccinated in accordance with section 2, which has bitten any person and caused an abrasion of the skin of such person, shall be seized and impounded under the supervision of the local health authorities for a period of not less than ten days. If, upon examination by a licensed veterinarian, the dog has no signs of rabies at the end of said impoundment, it may be released to the owner or, in the case of a stray, it shall be disposed of in accordance with applicable laws. It shall be the responsibility of the owner for any expense for the impoundment of the animal. If the animal is a stray, the town will be responsible for the expense. Any dog, vaccinated in accordance with section 2, which has bitten any person shall be confined by the owner or other responsible person as required by the local health authorities for a period of ten days, at which time the dog shall be examined by a licensed veterinarian. If

no signs of rabies are observed by the veterinarian, the dog may be released from confinement. It shall be the responsibility of the owner for any expense, examination and for the impoundment of the animal. If the animal is a stray, the town will be responsible for the expense incurred.

**442-A:7 Handling of Dogs Bitten by Rabid Animals.** In the case of dogs known to have been bitten by a rabid animal, the following rules shall apply:

**I. Unvaccinated Dogs.**

(1) In the case of dogs which are not vaccinated in accordance with section 2 and which have been bitten by a known rabid animal, said bitten (exposed) dogs shall be immediately quarantined and confined for ten days under the supervision of the local health authority. Upon completion of confinement the dog shall be examined by a licensed veterinarian. The dog shall be destroyed and the head sent to a diagnostic laboratory, unless the owner is unwilling as provided in (2). The town shall be responsible for the expense.

(2) If the owner is unwilling to destroy the bitten (exposed) dog, strict isolation of the dog, in a kennel under veterinary supervision and in cooperation with the local health authorities, for a minimum of six months shall be enforced. Expense of impoundment to be paid monthly in advance by the owner, in case of default in payment the local health authority is empowered to destroy the dog after a ten day grace period and the head is to be sent to the diagnostic laboratory of the health and welfare department, Concord, New Hampshire, for examination.

**II. Vaccinated Dogs.** If the bitten (exposed) dog is vaccinated in accordance with the provisions of section 2 hereof, the dog shall be handled as follows:

(1) Immediately revaccinated and confined for a period of thirty days following revaccination (type of confinement at the discretion of the local health authority), the owner of the animal being responsible for any expense incurred. At the completion of confinement, the animal is to be examined by a licensed veterinarian, and released if found by said veterinarian to be safe.

(2) If the dog is not immediately revaccinated, the dog shall be confined in strict isolation in a kennel for six months under the supervision of the local health authority in cooperation with a licensed veterinarian. The owner of the animal is responsible for all expenses incurred and must pay each month in advance. If default in payment, the local health authority is empowered to destroy the dog after a ten day grace period and the head is to be sent to the diagnostic laboratory,

department of health and welfare, Concord, New Hampshire, for examination.

(3) The dog shall be destroyed if the owner does not comply with the provisions of subparagraph (1) or (2) of this paragraph.

**442-A:8 Impoundment of Dog without Tag.** The rabies control authority shall authorize a pound or pounds, or shall enter into a cooperative agreement with a licensed veterinarian for the establishment and operation of a pound. Any dog found off the owner's premises and not wearing a valid vaccination tag shall be impounded. All impounded dogs shall be given proper care and maintenance. Each impounded dog shall be kept and maintained at the pound for a minimum of ten days unless reclaimed earlier by the owner. Notice of impoundment of all animals, including any significant marks of identification, shall be posted at the pound as public notification of impoundment. Any unvaccinated dog may be reclaimed by its owner during the period of impoundment by payment of prescribed pound fees and complying with rabies vaccination requirement of this statute within seventy-two hours of release. Any vaccinated dog impounded because of lack of a rabies vaccination tag may be reclaimed by its owner by furnishing proof of rabies vaccination and payment of all impounded fees prior to release. The impoundment fee shall not exceed two dollars per day. If the dog is unclaimed at the end of ten days, the rabies control authority may dispose of the dog in accordance with applicable laws or rules and regulations. If the animal is a stray the town will be responsible for the expense incurred.

**442-A:9 Enforcement.** It shall be the duty of the commissioner to enforce the provisions of this chapter for the control of rabies in dogs, and he shall make or may modify such rules or regulations as he deems necessary to carry out the intent of this chapter.

**442-A:10 Penalties.** Any person who violates any of the provisions of this chapter shall be fined not less than five nor more than twenty dollars.

**188:2 Vaccination Prerequisite to Licensing.** Amend RSA 466 by inserting after section 1 (supp) as amended by 1957, 217:1 the following new section: **466:1-a Vaccination Required.** Before a license is issued under the provisions of this subdivision, except under the provisions of section 6, the owner or keeper of a dog shall furnish to the clerk a certification that said dog has been vaccinated against rabies in accordance with the provisions of RSA 442-A.

**188:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 9, 1967.]

[Effective date July 1, 1967.]

**CHAPTER 189.****AN ACT RELATIVE TO TIME LIMITATION FOR APPRAISAL OF DAMAGES TO  
LIVESTOCK AND CROPS BY BEAR OR MOUNTAIN LION.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**189:1 Damage to Livestock or Crops.** Amend RSA 207:23-a, as inserted by 1955, 324:4, and amended by 1967, 81:2 by striking out said section and inserting in place thereof the following: **207:23-a Damage by Bears or Mountain Lions.** A person who suffers loss or damage to livestock, bees, orchards or growing crops, by bear or mountain lion, shall, if he claims damage therefor, notify the director of fish and game in writing of such damage. The director or his agent shall investigate such claim within thirty days from the receipt by him of notice of such damage, and within one year determine whether such damage was caused by bear or mountain lion, and appraise the amount to be paid. The director, immediately upon making any appraisal of damage thereof, shall present his certificate of the amount of appraisal to the governor, who is authorized to draw his warrant upon any money in the treasury not otherwise appropriated in payment therefor.

**189:2 Repeal.** RSA 207:25, relative to appeal because of non-action, is hereby repealed.

**189:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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**CHAPTER 190.****AN ACT RELATIVE TO BURGLARY.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**190:1 New Chapter.** Amend RSA by inserting after chapter 583 the following new chapter:

**Chapter 583-A****Burglary**

**583-A:1 Definitions.** In this chapter, unless a different meaning plainly is required:

I. "Occupied structure" shall mean any structure, vehicle, or place adapted for overnight accommodation of persons, or for carrying on business therein, whether or not a person is actually present.

II. "Night" shall mean the period between thirty minutes past sunset and thirty minutes before sunrise.

**583-A:2 Burglary Defined.** A person is guilty of burglary if he enters a building or occupied structure, or separately secured or occupied section thereof, with purpose to commit a crime therein, unless the premises are at the time open to the public or the actor is licensed or privileged to enter. It is an affirmative defense to prosecution for burglary that the building or structure was abandoned.

**583-A:3 Penalty.** If burglary is perpetrated in the dwelling of another at night, or if, in the course of committing burglary, the actor:

I. Purposely, knowingly, or recklessly inflicts or attempts to inflict bodily injury on anyone; or

II. Is armed with explosives or a deadly weapon, the penalty shall be a fine of not more than ten thousand dollars and imprisonment of not less than two years nor more than ten years, or both. All other burglary shall be punished by a fine of not more than five thousand dollars and imprisonment of not less than one year nor more than five years, or both. The act shall be deemed "in the course of committing" the offense if it occurs in an attempt to commit the offense or in flight after the attempt or commission.

**583-A:4 Multiple Convictions.** A person may not be convicted both for burglary and for the offense which it was his purpose to commit after the burglarious entry or for an attempt to commit that offense, unless the additional offense constitutes a felony the maximum penalty of which may be imprisonment for twenty years or more.

**583-A:5 Making or Possessing Burglar's Tools.** Whoever makes or mends, or begins to make or mend, or knowingly has in his possession, an engine, machine, tool, or implement adapted and designed for cutting through, forcing or breaking open a building, room, vault, safe, or other depository, in order to steal therefrom money or other property, or to commit any other crime, knowing the same to be adapted and designed for the purpose aforesaid, with intent to use or employ or allow the same to be used or employed for such purpose, shall be imprisoned not more than ten years, or fined not more than one thousand dollars and imprisoned not more than one year.

**190:2 Repeal.** RSA 583, relative to burglary and burglars' tools, is hereby repealed.

**190:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

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## CHAPTER 191.

### AN ACT INCREASING FEES FOR REGISTRATION OF PHARMACIES AND PHARMACISTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**191:1 Registration of Pharmacies.** Amend RSA 318:38, as amended by 1955, 241:4 and 1963, 83:6 by striking out said section and inserting in place thereof the following: **318:38 Permit; Fee.** The board shall upon application issue a permit to maintain a store for the sale at retail of drugs and medicines to such persons, firms, or corporations as they may deem to be qualified to conduct such a store, such permit to be known as a retail drug store permit, for the compounding of medicines upon physicians' prescriptions and for the manufacture, sale, and distribution of drugs, medicines, and poisons, such place of business to be under the direct supervision of a registered pharmacist. The fee for such original permit shall be one hundred dollars and the fee for each renewal thereof shall be twenty-five dollars. The holder of a retail drug store permit may keep his store open at all hours for the sale of drugs and medicines. The permit shall expire on January first following the date of issue.

**191:2 Reciprocal Registration of Pharmacists.** Amend RSA 318:24, as amended by 1963, 83:4, by striking out the word "twenty-five" in line four and inserting in place thereof the word (thirty-five) so that said section as amended shall read as follows: **318:24 Fees.** Each applicant for a registered pharmacist's certificate shall pay an examination fee of twenty-five dollars. Applicants for reciprocal registration as registered pharmacists, in addition to the fee covering costs of investigation, shall pay a fee of thirty-five dollars.

**191:3 Effective Date.** This act shall take effect January 1, 1968.

[Approved June 12, 1967.]

[Effective date January 1, 1968.]

**CHAPTER 192.****AN ACT TO REVISE THE SETTLEMENT LAWS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**192:1 New Chapter.** Amend RSA by inserting after chapter 164 a new chapter as follows:

**Chapter 164-A****Settlement of Persons**

**164-A:1 Manner of Gaining Settlement.** A legal settlement is gained by any person in any town, so as to oblige the town to support such person if poor and unable to support himself, in the following manner:

I. **Residence.** Any person of the age of twenty-one years who has his residence in any town in this state for one year gains a settlement in such town.

II. **Married Women.** A married woman has the settlement of her husband, if he has any within this state, but if he has none, she has none. A married woman living apart from her husband may gain a settlement as if she were unmarried, but until she gains a new settlement, she has the settlement of her husband.

III. **Legitimate or Adopted Child.** Legitimate or adopted children have the settlement of their father, unless they live apart from him with their mother, in which case they have the settlement of their mother.

IV. **Illegitimate Child.** Illegitimate children have the settlement of their mother.

V. **Married Minor.** A married minor may gain a settlement as if he were twenty-one years of age.

VI. **Employed Minor.** A minor living apart from his parents, supporting himself and receiving the wages from his employment, may gain a settlement as if he were twenty-one years of age, except that if he resumes living with either of his parents, his settlement is the same as it was before his departure. This provision does not apply to a minor who is dependent in whole or in part upon his parent or guardian for support, or who is attending an educational institution.

VII. **Married or Employed Minor.** Until a married or employed minor gains a new settlement he has the same settlement as he had at the time of his marriage or departure.

**164-A:2 Loss of Settlement.** A former settlement is lost upon the abandonment for one year of the residence by which the settlement was gained.



**164-A:3 Military Service.** Any person engaged in the military, air, or naval service of the United States shall not lose any right of settlement gained under this chapter, and no settlement wholly or partially gained hereunder is considered to have been interrupted or defeated by reason of absence during the period of service.

**164-A:4 Assisted Person.** No person has a residence for the purpose of gaining a settlement while being assisted as a pauper by a county or a town.

**164-A:5 Loss of Settlement.** Any settlement gained under this chapter shall be lost by any person who has been assisted as a pauper continuously for one year.

**192:2 Limitations on Veteran's Relief.** Amend RSA 165:6 by striking out said section and inserting in place thereof the following: **165:6 Limitations.** No person shall receive aid under the provisions of section 5 of this chapter unless he has resided in this state one year before making application for such aid.

**192:3 Recovery of Expense.** Amend RSA 165:20 by striking out said section and inserting in place thereof the following: **165:20 Recovery of Expense.** If a town spends any sum for the support, return to his home, or burial of a pauper having a settlement in another town, or of a county pauper, or of a pauper having relations able to support him under section 19 of this chapter such sum may be recovered from the town, county, or relation so chargeable.

**192:4 Limitation of Action.** Amend RSA 165:25 by striking out said section and inserting in place thereof the following new section: **165:25 Limitation of Action.** Actions by towns to recover the expense of support, return to his home, or burial of a poor person may be brought within three years after the cause of action accrued and not afterward.

**192:5 Inmates of Homes and Institutions.** Amend RSA 166:8 by striking out said section and inserting in place thereof the following: **166:8 Inmates of Homes and Institutions.** Any person who is or becomes a pauper or public charge while at any orphan's home, hospital, home for the aged, nursing home, convalescent home, or similar institution, is chargeable for support to the county in which he last resided before entering such institution, unless the person has a settlement in some town at the time he entered the institution.

**192:6 Liability Between Counties.** Amend RSA 166:10 by striking out said section and inserting in place thereof the following: **166:10 Liability of Counties.** Each county is responsible for the support of any county pauper who resides in that county.

**192:7 Right of Action.** Amend RSA 166:12 by striking out said section and inserting in place thereof the following new section: **166:12**

**Right of Action.** Counties have the same rights of action to resolve disputed claims as provided for towns by RSA 165:19-21 inclusive or as provided by RSA 28:16-19 inclusive.

**192:8 Temporary Provisions.** Settlement within the meaning of RSA 164-A:1 shall be determined by the residence of a person since January 1, 1967.

**192:9 Repeal.** RSA 164 relating to settlement of paupers is repealed.

**192:10 Repeal.** RSA 165:21, as amended by 1957, 198:3, relating to notice to be given to towns chargeable for settlement of a pauper being supported in another town; RSA 165:22 as amended by 1957, 198:3 relating to service of a notice given to a town chargeable for settlement of a pauper being supported in another town; RSA 165:23 relating to the return of the original notice given to a town chargeable for settlement of a pauper being supported in another town; and RSA 165:24, relating to amount of sums for which the notice given to a town chargeable for settlement of a pauper being supported in another town, are repealed.

**192:11 Repeal.** RSA 166:3, as amended by 1957, 198:3, relating to claims of a town for support of a pauper not having a settlement in the town; RSA 166:4 as amended by 1957, 198:3, relating to affidavits of paupers on settlement matters; RSA 166:7, pertaining to settlement in unorganized towns; RSA 166:9, relating to settlement in towns where institutions are located; RSA 166:11, relating to removal of paupers from one county to the county chargeable with his support; RSA 166:15, relating to bond of passengers on vessels who land in the state without settlement; RSA 166:16, relating to suits on bonds of passengers on vessels who land in the state without settlement; RSA 166:17, relating to the penalty for masters of vessels who allows a passenger to land before a settlement bond is given; and RSA 166:18, relating to the authority of a court to cause a pauper to be removed to his place of settlement, are repealed.

**192:12 Effective Date.** This act shall take effect on January 1, 1968.  
[Approved June 13, 1967.]  
[Effective date January 1, 1968.]

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## CHAPTER 193.

AN ACT TO SET THE SALARY OF THE SPECIAL JUSTICE OF THE PORTSMOUTH DISTRICT COURT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**193:1 Portsmouth District Court.** Amend RSA 502-A:6 II (supp) as inserted by 1963, 331:1 and amended by 1965, 138:1 by striking out said

paragraph and inserting in place thereof the following: II. Special Justices. The annual salaries of special justices of the district court shall be as follows: Not less than ten per cent nor more than thirty per cent of the salary of the justice in each district as the local governing body of the city or town in which the court is located may vote, provided, however, that the salaries of the special justices of the Hanover district court and of the Portsmouth district court may by vote of the respective local governing body be in excess of thirty per cent of the salary of the justice of said district. The special justices in other cities and towns and the justice of peace requested to sit owing to the disqualifications of the justice and special justice, shall be paid from the treasury of the city or town wherein said court is located, twenty dollars a day for each day or part thereof that he shall serve in said capacity.

**193:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 13, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 194.

### AN ACT RELATIVE TO NEGLECTED AND ABUSED CHILDREN.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**194:1 Neglected and Abused Children.** Amend RSA 571:25, 26, 27 and 29 (supp) as inserted by 1965, 193:1 by striking out said sections and inserting in place thereof the following:

**571:25 Purpose.** The purpose of this subdivision is to provide for the protection and welfare of neglected children and children who have had physical injury inflicted upon them and who may be further threatened by the conduct of those responsible for their care and protection. Physicians who become aware of such cases shall report them to the bureau of child welfare of the division of welfare of the department of health and welfare which shall notify the appropriate police authority of all reports of abuse thereby causing the protective services of the state to be brought to bear in an effort to protect the health and welfare of these children and to prevent further abuses. For the purposes of this subdivision the definition of "neglected child" in RSA 169:2, I shall be deemed to apply; provided, however, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to be a neglected child under any provisions of this act.

**571:26 Reports by Physicians and Institutions.** Any physician, including any licensed doctor of medicine, licensed osteopathic physician, intern and resident, having reasonable cause to suspect that a child under the age of sixteen brought to him or coming before him for examination, care or treatment has been neglected or has had serious physical injury or injuries inflicted upon him other than by accidental means by a parent or other person responsible for his care, shall report or cause reports to be made in accordance with the provisions of this subdivision; provided that when the attendance of a physician with respect to a child is pursuant to the performance of services as a member of the staff of a hospital or similar institution he shall notify the person in charge of the institution or his designated delegate who shall report or cause reports to be made in accordance with the provisions of this subdivision.

**571:27 Nature and Content of Report; to Whom Made.** An oral report shall be made immediately by telephone or otherwise, and followed as soon thereafter as possible by a report in writing, to the bureau of child welfare of the division of welfare of the department of health and welfare which shall notify an appropriate police authority. Such reports shall contain the names and addresses of the child and his parents or other persons responsible for his care, if known, the child's age, the evidence indicating neglect or the nature and extent of the child's injuries (including any evidence of previous injuries), and any other information that the physician believes might be helpful in establishing neglect or the cause of the injuries and the identity of the person or persons responsible therefor.

**571:29 Evidence Not Privileged.** Neither the physician-patient privilege nor the husband-wife privilege shall be a ground for excluding evidence regarding a child's neglect or a child's injuries or the cause thereof, in any judicial proceeding resulting from a report pursuant to this subdivision.

**194:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 14, 1967.]

[Effective date August 13, 1967.]

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## CHAPTER 195.

AN ACT TO EXEMPT CERTAIN TRUSTS FROM THE RULE AGAINST  
PERPETUITIES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**195:1 Rule Against Perpetuities.** Amend RSA 275 by inserting after section 48 the following new section: **275:48-a Rule Against Perpetuities.** A trust created by an employer as part of a stock bonus, pension, disability, death benefit or profit-sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by the employer or employees, or both, for the purpose of distributing to the employees the earnings or the principal, or both earnings and principal, of the fund held in trust, may continue in perpetuity or for such time as may be necessary to accomplish the purpose for which it is created, and shall not be invalid as violating any rule of law against perpetuities or suspension of the power of alienation of the title to the property. This section shall apply to all such trusts whether in existence on July 1, 1967 or established after said date.

**195:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 14, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 196.

AN ACT TO PROVIDE IMMUNITY TO REGISTERED NURSES FROM CIVIL  
LIABILITY IN EMERGENCY CASES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**196:1 Immunity from Civil Liability.** Amend RSA 326-A as inserted by 1959, 265:1 by inserting after section 11 the following new section: **326-A:12 Emergency Treatment.** No person authorized to practice nursing as a registered nurse under this chapter or under the laws of any other state, who, in good faith, renders emergency care at the scene of an emergency without making any charge therefor, shall be liable for any civil damages as a result of acts or omissions by such person in rendering such emergency care, or as a result of any act or failure to act to provide or arrange for further medical treatment or care.

**196:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 14, 1967.]

[Effective date August 13, 1967.]

**CHAPTER 197.**

AN ACT DEFINING THE MEANING OF A PLEA OF NOLO CONTENDERE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**197:1 Effect of Plea.** Amend RSA 605 by inserting after section 5 the following new section: **605:6 Plea of Nolo Contendere.** A plea of nolo contendere may be accepted in any criminal case and when such a plea is accepted, the court or justice may enter a finding of guilty upon such plea. Evidence of a plea of nolo contendere or of the finding entered thereon shall not be admissible in any civil action against the defendant.

**197:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 14, 1967.]

[Effective date August 13, 1967.]

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**CHAPTER 198.**

AN ACT RELATIVE TO FEES FOR A MOTOR VEHICLE USED EXCLUSIVELY AS A BUS FOR THE TRANSPORTATION OF MINORS TO FUNCTIONS OF NONPROFIT ORGANIZATIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**198:1 Registration Fee.** Amend RSA 262:1, XVI as inserted by 1957, 233:1 and amended by 1965, 273:1 by inserting at the end of lines two and five after the words "religious organizations" the following words (and nonprofit organizations) so that the paragraph as amended shall read as follows: XVI. For motor vehicle used exclusively as a school bus or as a bus for transportation of minors to and from functions of religious organizations and nonprofit organizations, twenty-five dollars. The provisions of paragraph III hereof shall not apply to motor vehicle used exclusively as a school bus or as a bus for transportation of minors to and from official functions of religious organizations and nonprofit organizations. The provisions of the paragraph shall not apply to municipally owned vehicles nor to vehicles of public utilities or common carriers.

**198:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 14, 1967.]

[Effective date August 13, 1967.]

**CHAPTER 199.****AN ACT TO REPEAL PROVISIONS AUTHORIZING SUMMER MOTOR VEHICLE  
LICENSE PLATES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**199:1 Repeal.** RSA 262:6 as amended by 1961, 166:3, relative to summer registration fees for certain motor vehicles, is hereby repealed.

**199:2 Effective Date.** This act shall take effect October 1, 1967.

[Approved June 14, 1967.]

[Effective date October 1, 1967.]

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**CHAPTER 200.****AN ACT PRESCRIBING THE METHOD OF ADOPTION OF THE NON-PARTISAN  
BALLOT SYSTEM IN LARGE TOWNS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**200:1 Non-partisan Ballot System.** Amend RSA 59 by inserting after section 73 (supp) as amended by 1965, 197:1 the following new section:  
**59:73-a — Large Towns.** In any town in which the Australian ballot system is in effect, and which has a population, according to the most recent federal census, of forty-five hundred inhabitants or more, adoption of the non-partisan ballot system shall be effected by ballot, as provided in this section. Whenever in such town there shall appear in the warrant for any annual or special meeting an article appropriate to the adoption of the non-partisan ballot system, the town clerk shall cause to be printed on the official ballot, if any, to be used at such meeting, otherwise upon a ballot specially prepared for the purpose, the question, "Shall the non-partisan ballot system for the election of town officers be adopted by this town?", which question shall be followed by boxes in which the voter may indicate "Yes" or "No". If the majority of the qualified voters present and voting at such meeting shall answer said question in the affirmative, the non-partisan system shall be deemed to have been adopted by said town and shall be in effect therein provided that such system shall not be in effect in said town until the town meeting next following the meeting at which such action is taken.

**200:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 14, 1967.]

[Effective date August 13, 1967.]

**CHAPTER 201.****AN ACT RELATIVE TO SALARIES OF THE SHERIFF AND ONE DEPUTY SHERIFF  
OF BELKNAP COUNTY.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**201:1 County of Belknap.** Amend RSA 104:29 by inserting after paragraph VI (supp) as inserted by 1967, 153:2 the following new paragraph: VII. In Belknap the annual salary of the sheriff shall be nine thousand dollars, and said salary shall be payment in full for all his services to said county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

**201:2 Deputy Sheriff.** Amend RSA 104 by inserting after section 3-b (supp) as inserted by 1967, 153:3 the following new section: **104:3-c Belknap County; Appointment of Deputy Sheriff on Salary.** The sheriff of Belknap county may appoint, if funds are appropriated, one deputy sheriff who shall be paid an annual salary of five thousand eight hundred dollars. Said salary shall be payment in full for all his services for the county. The county shall provide him with suitable transportation and he shall not be allowed the statutory rates for mileage allowable to other deputy sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and his expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall report annually to the sheriff the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year and said report shall be incorporated in the sheriff's annual report to the county commissioners.

**201:3 County Sheriffs.** Amend RSA 104:29 (supp) as amended by 1955, 172:1, 247:1, 1957, 156:1, 309:4, 1961, 175:1, 1963, 129:1, 1965, 162:1, 190:1, 263:1 and 1967, 153:1 by striking out paragraph I and inserting in place thereof the following:



I. The annual salaries of the sheriffs of the below named counties shall be as follows:

- (a) In Strafford, two thousand dollars.
- (b) In Merrimack, two thousand dollars.
- (c) In Hillsborough, two thousand four hundred dollars.
- (d) In Coos, two thousand dollars.

**201:4 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 14, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 202.

AN ACT TO AUTHORIZE A COOPERATIVE BANK OR BUILDING AND LOAN ASSOCIATION TO PAY CHARGES AGAINST REAL ESTATE ON WHICH IT HOLDS A MORTGAGE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**202:1 Prepayment and Advance of Taxes and Other Charges Authorized.** Amend RSA 393 by inserting after section 18 (supp) as amended by 1961, 136:4; 1963, 313:2; 1965, 317:2; and 1967, 120:1 the following new section:

**393:18-a Advance of Taxes and Other Charges and Prepayment of Same.** Any such corporation may pay taxes, assessments, insurance premiums, and other charges for the protection of the real estate loans it services and such payments may either be added to the balance of the real estate loan or carried as a separate account and all such payments shall be equally secured by the mortgage on the property. It may also require the borrower to pay monthly in advance in addition to interest and principal payments, the equivalent of one-twelfth of the estimated annual taxes, assessments, insurance premiums, and any other charges upon the real estate securing a loan, so as to enable the bank or association to pay such charges as they become due from the funds so received. The amount of such monthly charges may be increased or decreased so as to provide reasonably for the payment of these expenses. Any such corporation at its option may hold such funds in escrow and commingle them with other such funds and use the same for such purposes or credit such funds as received to the mortgage account. If the funds are credited to the mortgage account the bank or association may also charge against the mortgage account the amount of any of the aforementioned payments. Any such

funds held in escrow shall be pledged to further secure the indebtedness and if held in open account or credited to the loan account the sums when advanced for the purposes stated shall be secured by the mortgage with the same priority as the original amount advanced under the mortgage.

**202:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 14, 1967.]

[Effective date August 13, 1967.]

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## CHAPTER 203.

### AN ACT RELATIVE TO THE PREPARATION AND PUBLICATION OF AN EDITION OF THE DIRECTORY OF CHARITABLE TRUSTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**203:1 Register of Charitable Trusts.** Amend RSA 7 by inserting after section 32 the following new section: **7:32-a Directory.** The director of charitable trusts shall prepare and distribute from time to time a directory giving information relative to charitable trusts. This directory shall be for distribution to the public upon the payment of such price therefor as determined by the said director. The costs of such publication shall be paid from funds appropriated therefor and all funds received from the sale of the publication shall be paid to the state treasurer.

**203:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 19, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 204.

### AN ACT TO ENLARGE THE BOARD OF CHIROPRACTIC EXAMINERS, TO LIMIT THEIR TERMS OF OFFICE AND TO HAVE ADDITIONAL SUBJECTS OF EXAMINATION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**204:1 Examining Board.** Amend RSA 316:2 by striking out in line two the word "three" and inserting in place thereof the word (five) so that the section as amended shall read as follows: **316:2 Eligibility.** There

shall be a board of chiropractic examiners consisting of five skilled chiropractors who are not physicians, each of whom shall be a graduate of some resident school or college of chiropractic, and who shall have resided and practiced in this state for at least one year.

**204:2 Method of Appointment.** Amend RSA 316:3 by striking out the section and inserting in its place the following: **316:3 Term; Appointment; Removal.** Their term of office is three years. No member shall serve more than three terms. Members shall be appointed each year by the governor, with the advice and consent of the council. In 1967 one member shall be appointed for one year, one for two years and one for three years. In 1968 two members shall be appointed; in 1969 two members shall be appointed, and in 1970 one member shall be appointed. Thereafter the same sequence shall be followed in appointment of members. Vacancies in said board shall be filled in like manner for the unexpired term, and any member may be removed therefrom by the governor and council for cause and after hearing.

**204:3 Additions to Examinations.** Amend RSA 316:11, as amended by 1963, 222:1, by inserting in line four after the word "neurology" the words (bacteriology and chemistry) so that the section as amended shall read as follows: **316:11 Examinations.** The board shall give a written examination in the following subjects: Anatomy, physiology, symptomatology, hygiene, chiropractic orthopedy, histology, pathology, chiropractic X-ray procedures and analysis, neurology, bacteriology and chemistry, and the principles of chiropractic adjusting and nerve tracing.

**204:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 19, 1967.]

[Effective date August 18, 1967.]

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## CHAPTER 205.

AN ACT TO EXTEND THE AMOUNT AND REPAYMENT TIME OF LOANS AND TO PROVIDE FOR UNSECURED LOANS FOR ANY PURPOSE MADE BY COOPERATIVE BANKS AND BUILDING AND LOAN ASSOCIATIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**205:1 Authorized Loans.** Amend RSA 393:15-a (supp) as inserted by 1955, 140:1 and amended by 1957, 194:1 by striking out the section and inserting in its place the following: **393:15-a Unsecured Loans.** A loan association or cooperative bank may loan its funds as follows:

I. In loans insured by the Federal Housing Commissioner under Title I of the National Housing Act of 1934 with all subsequent amendments thereto.

II. In loans on improved real estate for the purpose of financing the repair, alteration, improvement or rehabilitation without the additional security of a lien upon such real estate; Provided, that (a) the loan association or cooperative bank is the holder of the first mortgage upon the property to be improved; (b) the net proceeds of any such loan do not exceed five thousand dollars; (c) each such loan is evidenced by one or more negotiable notes; (d) the resulting aggregate amount of all such loans does not exceed an amount equal to ten per cent of a loan association's or cooperative bank's assets; (e) each loan is repayable in regular monthly installments within a period of seven years.

III. In loans, with or without security, for any purpose, provided that no such loan shall exceed three thousand dollars, such loan to be repayable in regular monthly installments within a period of three years, however, if the indebtedness is incurred for the purpose of mobile home financing and the mobile home is taken as security, such mobile home loan shall not exceed five thousand dollars and such loan shall be repayable in regular monthly installments within a period of seven years, and further provided that the aggregate amount of all loans in this paragraph III does not exceed five per cent of the association's or cooperative bank's assets. Loans without security shall have suitable financial information on file warranting the extension of the loan.

**205:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 19, 1967.]

[Effective date August 18, 1967.]

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## CHAPTER 206.

### AN ACT EXTENDING CERTAIN TAX EXEMPTIONS TO VETERANS AND WIDOWS OF VETERANS OF KOREA AND VIET NAM.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**206:1 Poll Tax Exemption.** Amend RSA 72:1 by inserting in lines five and seven after the word "wars" the words (conflicts or armed conflicts) so that the section as amended shall read as follows: **72:1 Persons Liable.** A poll tax of two dollars shall be assessed on every inhabitant of the state from twenty-one to seventy years of age whether a citizen of the United States or an alien, except paupers, insane persons, the widow of

any veteran who served in the armed forces of the United States in any wars, conflicts or armed conflicts in which it has been engaged, the widow of any citizen who served in the armed forces of any country allied with the United States in any of the wars, conflicts or armed conflicts as defined in sections 28 and 32 of this chapter, and others exempt by special provisions of law.

**206:2 Veterans of Conflicts or Armed Conflicts.** Amend RSA 72:2 by inserting in line one after the word "war" the words (conflict or armed conflict, as hereinafter defined in section 28 of this chapter) and amend said section by inserting in line seven after the word "wars" the words (conflicts or armed conflicts) so that the section as amended shall read as follows: **72:2 Veterans' Exemption.** Any veteran of any war, conflict or armed conflict, as hereinafter defined in section 28 of this chapter, in which the United States has been engaged and any veteran of the armed forces of the governments allied with the United States as defined by section 32 of this chapter, who shall present to the selectmen or assessors of the town in which he lives, for inspection and record, his pension certificate awarding to him an invalid pension of any amount, or a discharge other than dishonorable from such wars, conflicts or armed conflicts, shall thereafter be exempt from the levy of a poll tax.

**206:3 Repeal.** RSA 72:1-a (supp) as inserted by 1955, 12:1, relating to Korean conflict veterans, is hereby repealed.

**206:4 Allied Veterans of Conflicts and Armed Conflicts.** Amend RSA 72:32 by inserting in line five after the word "wars" the words (conflicts or armed conflicts) so that the section as amended shall read as follows: **72:32 — Veterans of Allied Forces.** Any person otherwise entitled under the provisions of sections 28, 30 and 31 of this chapter who being a citizen of the United States, or being a resident of New Hampshire, at the time of his entry therein, served on active duty in the armed forces of any of the governments associated with the United States in the wars, conflicts or armed conflicts set forth in section 28 shall be entitled to the exemption authorized by said section.

**206:5 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 19, 1967.]

[Effective date August 18, 1967.]

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## CHAPTER 207.

AN ACT INCREASING FEES FOR SHERIFFS AND DEPUTY SHERIFFS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**207:1 Sheriffs and Deputy Sheriffs.** Amend RSA 104:31 as amended by 1957, 123:1 and 1965, 316:2 by striking out the entire section and inserting in place thereof the following new section: **104:31. Fees of Sheriffs and Deputy Sheriffs.** The fees of sheriffs and deputy sheriffs shall be as follows:

I. For every service of a writ, three dollars; for every service of a writ of possession, five dollars; for every service of a subpoena, process, notice of execution, two dollars.

II. For every service of a bill, libel or petition, six dollars.

III. For making attachment of personal property, three dollars.

IV. For actual travel to serve any writ, notice, subpoena, process or execution, to be reckoned from the place of service to the residence of the officer, in no case exceeding fifty miles, and for travel to attend any court by the order thereof, to be reckoned from the residence of the officer to the court, each mile, each way, ten cents.

V. For levying executions, on the dollar, for the first hundred dollars levied, four cents; for all above one hundred dollars, and not exceeding five hundred dollars, three cents; for all above five hundred dollars, and not exceeding one thousand dollars, two cents; for all above one thousand dollars, one cent; minimum fee, five dollars.

VI. For each day of any session of the superior court, the sheriff shall receive twenty-two dollars a day; for each day's actual attendance of the superior court by order thereof, each deputy shall receive twenty-two dollars a day; for each day's actual attendance at supreme court by order thereof, the sheriff and each deputy, twenty-two dollars a day; in addition, the sheriff and each deputy, travelling expense to attend any court; said fees and expenses to be audited and allowed by the court, to be paid out of the county treasury. For attending before a district or municipal court, on trials where his presence is required, each day, five dollars.

VII. For making copies of writs each, one dollar.

VIII. For leaving the copy and return required in the attachment of real estate at the office or the dwelling house of a register of deeds, one dollar.

**207:2 Effective Date.** This act shall take effect August 1, 1967.

[Approved June 19, 1967.]

[Effective date August 1, 1967.]

**CHAPTER 208.**

AN ACT RELATIVE TO TAKING RACCOONS BY THE USE OF TRAPS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**208:1 Taking Raccoons by the Use of Traps.** Amend RSA 210:2 (supp) as amended by 1959, 151:1 and 1967, 27:1 by inserting in line two after the words "December first" the words (and by the use of traps, in Coos, Carroll, and Grafton counties from October twentieth to December first and in the rest of the state from November first to December first) so that said section as amended shall read as follows: **210:2 Raccoons.** Raccoons may be taken and possessed with the aid of and by the use of a dog and gun from August first to December first, and by the use of traps in Coos, Carroll, and Grafton counties from October twentieth to December first and in the rest of the state from November first to December first. No person shall take more than three raccoons from twelve noon of one day to twelve noon of the following day, nor more than twenty-five raccoons in one season. No person shall hunt raccoons at night by the use of a rifle, revolver, or pistol larger than twenty-two calibre long rifle or by the use of shotgun shells carrying shot larger than number four or by the use of a light other than a kerosene lantern exclusive of the pressure type or a flashlight with more than seven cells. No person shall take or attempt to take raccoons by use of a light from a motor vehicle.

**208:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 19, 1967.]

[Effective date August 18, 1967.]

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**CHAPTER 209.**

AN ACT REVISING THE MEMBERSHIP OF THE ADVISORY COMMITTEE TO THE TRAFFIC SAFETY COMMISSION TO INCLUDE A REPRESENTATIVE FROM THE DIVISION OF PUBLIC HEALTH SERVICES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**209:1 Advisory Committee; Traffic Safety Commission.** Amend RSA 259-A:4 as inserted by 1965, 370:1 by inserting in line five after the word "highways" the following words (division of public health services of the department of health and welfare) so that said section as amended shall read as follows: **259-A:4 Advisory Committee.** The heads of the following state departments and agencies or their designated representatives shall

constitute an advisory committee to the commission: department of safety, department of education, attorney general, department of public works and highways, division of public health services of the department of health and welfare, and liquor commission. The members of the advisory committee shall participate in the study of traffic safety problems and shall present to the commission matters of mutual concern originating in their departments. The advisory committee shall meet with the commission upon request of the commission.

**209:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 19, 1967.]

[Effective date August 18, 1967.]

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## CHAPTER 210.

### AN ACT TRANSFERRING CERTAIN RECORDS FROM THE ROCKINGHAM COUNTY REGISTRY OF DEEDS TO THE RECORDS AND ARCHIVES CENTER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**210:1 Transfer of Records from Rockingham County Registry of Deeds.** Amend RSA 8-B (supp) as inserted by 1961, 266:1 by inserting at the end thereof the following new section: **8-B:18 Records from Rockingham County Registry of Deeds.** All records of the Rockingham county registry of deeds recorded as Rockingham county registry of deeds volumes 101-239, inclusive, which do, in fact, contain records of transfers of land now located in other counties of the state, shall be removed by the division of records management and archives from the county building in Exeter to the records and archives center, at a time mutually agreed upon by the director of records management and archives and the Rockingham county register of deeds. The purpose of this section is to remove from the Rockingham county registry of deeds all records concerning real property now located in counties other than Rockingham county.

**210:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 19, 1967.]

[Effective date August 18, 1967.]



**CHAPTER 211.****AN ACT PROVIDING FOR A COMMISSION TO STUDY THE RECREATIONAL USES  
OF THE SACO RIVER.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**211:1 Commission Established.** There is hereby established a commission consisting of five members to be known as the Saco River Study Commission. Two of said members shall be appointed by the governor with the consent of the council, one by the speaker of the house of representatives who shall be a member of the house, one by the president of the senate who shall be a member of the senate, and one shall be the Carroll county member of the fish and game commission. The members shall select from their number a chairman and a clerk.

**211:2 Duties.** The commission shall study the recreational advantages of the Saco river and shall develop plans to improve such advantages including the necessary steps to reintroduce anadromous fish to the entire river. It is authorized to work independently or with any commission or state agency created by the state of Maine or the federal government that has jurisdiction over the river, its development as a recreational resource and as a fishing resource. The commission shall make plans for legislation designed to promote and improve the recreational advantages of the Saco river within this state and it shall work with agencies of the state of Maine and the federal government to make a joint plan for a compact designed to improve and develop the recreational advantages of the river including fisheries.

**211:3 Recommendations.** The commission shall make a report of its findings and recommendations to the general court by December 15, 1968. If any legislation is recommended, the commission shall submit to the director of legislative services sufficient information by December 1, 1968 to enable the director to draft legislation.

**211:4 Completion of Duties.** The duties and powers of the commission shall terminate seven days before the first Wednesday of the year 1969, except that the chairman has the power to act after that date if necessary to complete the work of the commission.

**211:5 Certified Copies to be Transmitted.** The secretary of state is directed to send a certified copy of this act to the Governor of Maine, the president of the senate of Maine, the speaker of the house of representatives of Maine, and to the department of fisheries and game of Maine.

**211:6 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 19, 1967.]

[Effective date August 18, 1967.]

## CHAPTER 212.

AN ACT RELATIVE TO UNCLAIMED SHARES IN ESTATES OF LESS THAN  
TWENTY-FIVE DOLLARS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**212:1 Escheated Estates.** Amend RSA 561:10 by striking out said section and inserting in place thereof the following: **561:10 Unclaimed Share.** Whenever, upon a decree of distribution or the settlement of the account of an administrator, executor or trustee, there shall be in his hands any sum of money in excess of twenty-five dollars belonging to any heir, legatee, beneficiary, creditor, or other person whose place of residence is unknown and cannot be found, or if such person shall refuse to accept or receipt for such sum after being tendered, the administrator, executor or trustee shall petition the probate court and the court, when satisfied that due diligence has been used to find the person entitled to such sum or that such sum has been tendered to and refused by such heir, legatee, beneficiary, creditor or other person entitled to the same, shall decree that the sum be paid over to the state treasurer, and such payment shall be a discharge of said administrator, executor or trustee. Any person entitled to receive such sum may petition the probate court, at any time before the final disposition thereof under this chapter, and payment to him shall be decreed, upon notice and hearing.

In the cases of sums of twenty-five dollars or less the probate court, after an affidavit has been filed with it by the administrator, executor or trustee stating that due effort had been made to find the person entitled to such sum, or that said person has refused tender of such sum, may make distribution of such sum in accordance with the provisions of this chapter but as though those entitled thereto under the original decree of distribution or their issue, representatives or assigns had no interest in or against the estate.

**212:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 19, 1967.]

[Effective date August 18, 1967.]

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CHAPTER 213.

AN ACT IMPOSING TAXES ON MEALS AND ROOMS FOR DISTRIBUTION TO THE  
GENERAL FUND AND TO THE UNINCORPORATED PLACES,  
TOWNS, AND CITIES OF THE STATE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**213:1 New Chapter.** Amend RSA by inserting after chapter 78 the following new chapter:

### **Chapter 78-A**

#### **Tax on Meals and Rooms**

**78-A:1 Title.** This act may be known and cited as the “Meals and Rooms Tax Law”.

**78-A:2 Administration.** The administration of this chapter is vested in the tax commission. The commission may prescribe and publish regulations and rules to carry into effect the provisions of this chapter. The regulations and rulings, when reasonably designed to carry out the intent and purpose of this chapter, are prima facie evidence of its proper interpretation.

**78-A:3 Definitions.** As used in this chapter:

I. “Commission” means the state tax commission.

II. “Person” means any individual, combination of individuals, firm, partnership, society, association, joint stock company, corporation, or any of the foregoing acting in a fiduciary or representative capacity, whether appointed by court or otherwise.

III. “Hotel” means an establishment which holds itself out to the public by offering sleeping accommodations for rent, whether or not the major portion of its operating receipts is derived from sleeping accommodations. The term includes, but is not limited to, inns, motels, tourist homes and cabins, ski dormitories, ski lodges, lodging homes, rooming houses, furnished room houses, boarding houses, and private clubs. The term does not include the following:

(a) a hospital, licensed under RSA 151, or a sanatorium, convalescent home, nursing home, or a home for the aged;

(b) any establishment operated by any state or United States agency or institution, except the New Hampshire department of resources and economic development;

(c) an establishment operated by a nonprofit corporation or association organized and operated exclusively for religious, charitable, or educational purposes, which, in furtherance of any of the purposes for which it was organized, operates a hotel as defined in this section.

IV. “Operator” means any person operating a hotel, whether as owner or proprietor or lessee, sublessee, mortgagee, licensee, or otherwise; and any person charging for a taxable meal; and any person engaged in both activities.

V. "Occupant" means a person who, for rent paid, uses, possesses, or has a right to use or possess any room in a hotel under any lease, concession, permit, right of access, license, or agreement. The term does not include a permanent resident.

VI. "Occupancy" means the use or possession, or the right to the use or possession, of any room in a hotel for any purpose, or the right to the use or possession of the furnishings or to the services and accommodations accompanying the use and possession of a room. The term does not include occupancy by a permanent resident, or by an employee of an operator when the occupancy is granted to the employee as pay for his employment, or any occupancy furnished in a summer camp for children.

VII. "Permanent resident" means any occupant who has occupied any room in a hotel for at least thirty consecutive days.

VIII. "Rent" means the consideration received for occupancy valued in money, whether received in money or otherwise, including all receipts, cash, credits, and property, or services of any kind or nature, and also any amount for which the occupant is liable for the occupancy without any deduction of any kind. The term "rent" does not include rental charges for living quarters, sleeping, or household accommodations to any student necessitated by attendance at a school as defined in this section.

IX. "School" means an incorporated nonstock educational institution, including an institution empowered to confer educational, literary, or academic degrees, which has a regular faculty, curriculum, and organized body of pupils or students in attendance throughout the usual school year, and which keeps and furnishes to students and others the records required and accepted for entrance to a school of secondary, collegiate or graduate rank. No part of the earnings of the institution may inure to the benefit of any individual.

X. "Taxable meal" means a meal for which a charge of one dollar or more is made. For the purposes of this chapter, a taxable meal includes the charge for all beverages including alcoholic beverages, and any charge for admissions or any minimum charge in any place where meals are served. It includes meals and beverages, whether served for consumption on or off the premises, purchased from persons engaged in the business of catering or of operating cafes, lunch counters, private and social clubs, restaurants, hotels, and other eating and drinking establishments, except the following:

(a) meals served or furnished on the premises of a nonprofit corporation or association organized and operated exclusively for religious or charitable purposes, in furtherance of any of the purposes for which it was organized; with the net proceeds of the meals to be used exclusively for the purposes of the corporation or association;

(b) meals served or furnished on the premises of a school as defined in this section;

(c) meals served or furnished on the premises of any institution of the state, political subdivision of the state, or of the United States, to inmates and employees of the institutions;

(d) meals prepared by the employees of a hospital and served in any hospital licensed under RSA 151, or a sanitorium, convalescent home, nursing home or home for the aged;

(e) meals furnished by any person while transporting passengers for hire by train, bus, or airplane if furnished on any train, bus, or airplane;

(f) meals furnished by any person while operating a summer camp for children, in such camp;

(g) meals sold by nonprofit organizations at bazaars, fairs, picnics, church suppers, or similar events to the extent of four such events of a day's duration, held during any calendar year. However, where sales are made at such events by an organization required to have a meals and rooms registration license or is otherwise required to have a license because its selling events are in excess of the number permitted, the sale of such meals constitute sales made in the regular course of business and are not exempt from the meals and rooms tax levied and imposed by section 6 of this chapter.

(h) meals furnished to any employee of an operator as pay for his employment.

**78-A:4 Licenses Required.** No later than thirty days after the effective date of this chapter each operator shall register with the commission the name and address of each place of business within the state where he operates a hotel or sells taxable meals. The operator shall pay the sum of one dollar for each registration, upon receipt of which the commission shall issue a license for each place in such form as it determines, attesting that the registration has been made. The license expires on the thirtieth day of June of each odd numbered year, unless sooner revoked or suspended by the commission. Any person commencing business as an operator after the effective date of this chapter shall register with the commission prior to commencing business. No person may engage in serving taxable meals or renting hotel rooms without the license provided in this section.

**78-A:5 Suspension and Revocation of Licenses; Appeal.**

I. The commission may, after notice and hearing, suspend or revoke the license of any operator or may refuse to issue or renew any registration for failure to comply with the provisions of this chapter or with the rules and regulations of the commission promulgated under this chapter.

II. Any operator aggrieved by a suspension, revocation, or refusal may appeal from the ruling of the commission to the superior court within ten days after written notice of the suspension, revocation, or refusal has been mailed or delivered to him. The court shall hear such appeal forthwith.

III. If the appealing operator files with the court to which he appeals a bond running to the state with a surety company authorized to do business in this state as surety in a sum fixed by the court, conditioned upon the payment of taxes due and to become due during the pendency of the appeal, then during such pendency, the suspension or revocation appealed from is inoperative.

IV. If an operator appeals from the refusal of the commission to issue or renew a registration, the commission shall issue or renew the registration during the pendency of the appeal if the appeal bond is given.

#### **78-A:6 Imposition of Tax.**

I. A tax of five per cent of the rent is imposed on each occupancy.

II. A tax is imposed of six cents for each taxable meal for which the charge is between one dollar and one dollar nineteen cents inclusive; seven cents when the charge is between one dollar twenty cents and one dollar thirty-nine cents inclusive; eight cents when the charge is between one dollar forty cents and one dollar fifty-nine cents inclusive; nine cents when the charge is between one dollar sixty cents and one dollar seventy-nine cents inclusive; and ten cents when the charge is between one dollar eighty cents and one dollar ninety-nine cents inclusive. On each additional part of a dollar in the total charge for each taxable meal, the tax shall be imposed at the rate of one cent for each twenty cent increment over one dollar ninety-nine cents.

III. The operator shall collect the taxes imposed by this section and shall pay them over to the state as provided in this chapter.

#### **78-A:7 Collection of Tax.**

I. Each operator shall state the amount of the tax to each occupant and each purchaser of a taxable meal by issuing a bill or statement for each occupancy and taxable meal, showing separately the charges made and the tax due thereon. He shall charge for the tax separately from the rent or meal charge, and shall demand and collect the tax from such occupant or purchaser. The occupant or purchaser shall pay the tax to the operator on account of the state, and each operator shall be liable for the collection thereof.

II. Each operator shall keep the amount of all taxes paid to him under this chapter in a fund separate and apart from all his other funds,

unless the commission otherwise directs. If the commission authorizes any operator to commingle the proceeds of the tax with other funds, the claim of the state for the tax shall be traceable, shall be enforceable against, and shall take precedence over all other claims against the commingled fund. Each operator shall account to the state for the entire amount of all taxes collected. No taxes collected by an operator under this chapter shall be sent outside the state without the written consent of the commission.

III. To compensate operators for keeping the prescribed records and the proper account and remitting of taxes by them, they are allowed to retain one per cent of the amount of the tax due and accounted for and remitted by them. The one per cent shall be allowed in the form of a deduction in submitting the report of the operator and the payment of the amount due by him. The one per cent shall not be granted with respect to any taxes not paid on or before the due date, nor unless the operator has complied with all pertinent rules and regulations promulgated by the commission and with all other requirements of this chapter.

**78-A:8 Returns and Payment.** The taxes imposed by this chapter are due and payable in quarterly installments on or before the last day of the calendar month succeeding the quarter ending the last day of March, June, September and December of each year. Each operator shall make out, swear to, sign, and file with the commission a return for each quarter. The return shall be on a form prescribed and provided by the commission which shall distribute the return forms to the operators. No operator is excused from liability for failure to file a return or pay the tax because he has failed to receive a form. Any operator wilfully making a false return is guilty of perjury. A remittance for the amount of taxes shall accompany each quarterly return.

**78-A:9 Optional Dates; Extensions.** Upon written request and for good cause shown, the commission may authorize an operator whose books and records are not kept on a calendar month basis or whose hotel or establishment for the sale of taxable meals is operated only during certain seasons of the year to file returns at other times than those specified in section 8 of this chapter. Except seasonal hotels and seasonal eating establishments, no taxpayer may make less than four returns during a year. If the commission believes special action is necessary where collection of the tax may be in jeopardy, it may require an operator to file returns and pay taxes under this chapter at any time or from time to time. Except as to the time of filing and the period covered, all the provisions as to returns required by sections 2-8 inclusive of this chapter are applicable to returns made under this section and a remittance for the tax due shall accompany any return filed under this section. On written application and for good cause shown, the commission may extend the time for making any return required by this chapter.

**78-A:10 Overpayment; Refunds.** Upon application by an operator, if the commission determines that any tax, interest or penalty has been paid more than once, or has been erroneously or illegally collected or computed, the tax, interest, or penalty shall be credited by the commission on any taxes then due from the operator under this chapter. The treasurer shall refund the balance to the operator or his successors, administrators, executors, or assigns upon order of the commission. No such credit or refund shall be allowed after two years from the date the return was due.

**78-A:11 Assessment of Additional Tax.**

I. If any operator fails to make a return as required by this chapter, the commission may make an estimate of the tax liability of the operator from any information it may obtain, and according to such estimate so made by it, may assess the taxes, interest, and penalty due the state from the operator, may give notice of the assessment to the operator, and may make demand upon him for payment.

II. After a return is filed under the provisions of this chapter, the commission shall cause the return to be examined, and may make such further audits or investigation as it considers necessary. If it determined that there is a deficiency with respect to the payment of any tax due under this chapter, it shall assess the taxes and interest due the state, shall give notice of the assessment to the persons liable, and shall make demand upon him for payment. No assessment under this section may be made after two years from the date the return was due, unless the return was fraudulent.

III. If the commission finds that an operator liable for a tax designs to leave the state, or to remove his property from the state, or to conceal himself or his property, or to discontinue business, or to do any other act tending to prejudice or to render wholly or partially ineffective proceedings to collect the tax, unless proceedings be brought without delay, the commission shall cause notice of the finding to be given the operator, together with a demand for an immediate tax return and immediate payment of the tax. If the tax return and payment are not made when demanded, the commission may make an estimate of the tax liability of the person from any information it may obtain and, according to such estimate may assess the taxes due the state from the person. The commission shall give notice of the assessment to the operator and shall make a demand for payment of the tax. The assessment is presumed to be correct, the burden showing otherwise being on the operator. At the time the demand for payment is made, the tax becomes due and payable. The attorney general may at the same time, without delay, bring suit for the collection of the tax.

**78-A:12 Petition for Reconsideration.** Any operator against whom an assessment has been made by the commission under the provisions of



section 11 of this chapter, and any person aggrieved by the refusal of the commission to make a refund requested under section 10 of this chapter, may petition for a reconsideration within fifteen days after notice has been given the person as provided in this chapter. If a petition for reconsideration is not filed within fifteen days, the amount of the assessment or the refusal to refund becomes final at the expiration of fifteen days as to law and fact. If a petition for a reconsideration is filed within fifteen days, the commission shall reconsider the assessment or the refusal, and, if the petitioner so requested in his petition, shall grant the petitioner an oral hearing and shall give the petitioner ten days' notice of the time and place of the hearing. For a cause shown the commission may extend the time for filing the petition. If appeal is not taken as provided in section 13 of this chapter, the assessment or the refusal to refund upon reconsideration becomes final as to law and fact at the expiration of the thirty day period therein allowed for the taking of appeals.

#### **78-A:13 Appeals.**

I. Any person aggrieved by a decision of the commission upon a petition for a reconsideration provided for in section 12 of this chapter may, within thirty days after a denial by the commission of the relief asked for, file a petition to review the decision of the commission in the superior court of any county in which the person has a place of business subject to this chapter.

II. Upon the filing of an appeal, the clerk of the court shall issue an order of notice requiring the commission to file with the court a certified copy of the record in the proceeding, together with such of the evidence introduced before or considered by the commission as may be specified by any party in interest, as well as such other evidence, so introduced and considered as the commission wishes to specify, together with the originals or copies of all exhibits introduced in evidence before the commission.

III. The court shall take from the appellant a bond or recognizance to the state, with surety, to prosecute the appeal to effect, and to comply with the orders and decrees of a court in the premises. Such appeals shall be preferred cases for hearing on the docket of the court. The court may grant such relief as may be equitable, and may order the state treasurer to pay to the aggrieved taxpayer the amount of the relief requested with interest at the rate of six per cent per year. Upon all appeals which are denied costs may be taxed against the appellant at the discretion of the court, but the court may not tax costs against the state.

#### **78-A:14 Hearings.**

I. The commission may conduct hearings. It may administer oaths to and examine under oath any person, including the operator, relative to the business of the operator, in respect to any matter incident to the ad-

ministration of this chapter. The provisions of this section also apply to any person whom the commission has reason to believe is liable for the payment of the tax under this chapter.

**II.** The commission has the power to compel the attendance of witnesses and the production of any books, records, papers, vouchers, accounts, or documents of any operator, or of any person whom the commission has reason to believe is liable for the payment of the tax under this chapter, or of any person believed to have information pertinent to any matter under investigation by the commission at any hearing held under this chapter. The fees of witnesses required to attend any hearing are the same as those allowed the witnesses appearing in the superior court. Fees shall be paid in the manner provided for the payment of other expenses incident to the administration of this chapter.

**III.** Any examination under oath conducted by the commission may, in its discretion, be reduced to writing. Wilful false testimony in the examination is perjury and may be punished as perjury.

**IV.** Any superior court judge upon application of the commission may compel the attendance of witnesses, the giving of testimony, and the production of any books, records, papers, vouchers, accounts, or documents before the commission in the same manner, to the same extent, and subject to the same penalties as if the hearings were before a superior court.

**78-A:15 Notices.** Any notice required to be given by the commission pursuant to this chapter to any person may be served personally, or by sending the notice by registered or certified mail to the person for whom it is intended, addressed to the person at the address given in the last report filed by him pursuant to the provisions of this chapter, or if no report has been filed, then to the address of his last known abode; or in the case of other than an individual, addressed to the last known business address.

**78-A:16 Interest.** Any person who fails to pay any tax imposed by this chapter on or before the date when the tax is required to be paid shall pay interest on the tax at the rate of one-half of one per cent each month or fraction of a month if the tax remains unpaid, to be calculated from the date the tax was required to be paid. All interest is payable to and recoverable by the commission in the same manner as is the tax imposed by this chapter. For a reasonable cause the commission may abate all or any part of the interest.

**78-A:17 Penalties.**

**I.** Whenever the commission determines that any tax assessed under this chapter was unpaid due to negligence or disregard of the provisions of this chapter or of any ruling or regulation of the commission issued

pursuant to the provisions of this chapter, but without intent to defraud, a penalty of ten per cent of the amount of the tax as determined by the commission shall be added to the assessment and interest at one per cent of the tax for each month or fraction of a month during which the tax remains unpaid.

II. Whenever any tax assessed under this chapter was unpaid due to fraud with intent to evade the tax imposed by this chapter, a penalty of twenty-five per cent of the amount of the tax as determined by the commission shall be added to the assessment, and interest at one per cent of the tax for each month or fraction of a month during which the tax remains unpaid.

III. For reasonable cause the commission may waive or abate all or any part of the penalties and the interest imposed under this section.

#### **78-A:18 Violations.**

I. Any operator who wilfully fails, neglects, or refuses to comply with or violates the provisions of this chapter relative to the taxes on meals and rooms, or the provisions of regulations promulgated by the commission under this chapter relative to the taxes, is guilty of a misdemeanor. Upon conviction for a first offense he may in the discretion of the court be sentenced to pay a fine of not more than two hundred and fifty dollars or to be imprisoned for not more than sixty days, or both; and for a second or subsequent offense he may in the discretion of the court be sentenced to pay a fine of not less than two hundred and fifty dollars or more than five hundred dollars or be imprisoned for not more than six months, or both.

II. For the purpose of this section, every operator required to obtain a license under section 4 of this chapter who is engaged in any business for which registration is required under that section without being the holder of a currently valid registration license, commits a separate offense for each calendar week or part thereof during which he is so engaged.

**78-A:19 Records; Inspection.** Each operator shall keep separate books or records of his business in such reasonable form as the commission from time to time requires by regulation. Each operator shall keep the books and records for two years in such a manner to insure permanency and accessibility for inspection by the commission and its authorized representatives. The records shall be open for inspection by the commission or its authorized representative at all reasonable times. The commission or its authorized representative may enter in or upon any premises where sleeping accommodations are rented or taxable meals are sold to determine whether the provisions of this chapter are being obeyed, and may examine the books, papers, records, and premises of any operator for the purpose of determining whether the taxes imposed by this chapter have been fully paid.

**78-A:20 Taxes as Personal Debt to State.**

I. All taxes required to be paid by operators, and all increases, interest, and penalty on the taxes, become from the time due and payable to the commission a personal debt from the operator liable to pay them to the state to be recovered in an action of contract on this statute.

II. An action may be brought by the attorney general at the instance of the commission in the name of the state to recover the amount of taxes, penalties, and interest due from the operator, if the action is brought within three years after the taxes, penalties, and interest are due. The action is returnable in the county where the operator resides if he is a resident of the state; and if a nonresident, the action is returnable to the county of Merrimack. The limitation of three years in this section does not apply to a suit to collect taxes, penalties, interest, and costs when the operator filed a fraudulent return or failed to file a return when the return was due.

**78-A:21 Taxes as Property Lien.** If any operator required to collect and transmit a tax under this chapter neglects or refuses to pay the tax after demand, the amount, together with all penalties and interest provided for in this chapter and together with any costs that may accrue in addition to the tax becomes a lien in favor of the state upon all property and rights to property whether real or personal, belonging to the operator. The lien arises at the time demand is made by the commission and continues until the liability for the sum, with interest and costs, is satisfied or becomes unenforceable. Certificates of release of such lien shall be given by the commission on the satisfaction of the lien.

**78-A:22 Records, Secrecy; Exceptions; Penalties.**

I. Except in accordance with proper judicial order or as otherwise provided by law, the commission, a deputy or any agent, clerk or other officer or employee in the commission's office shall not divulge or make known in any manner any particulars set forth or disclosed in any report or return required under this chapter or disclosed by any investigation of the books, records, or premises of any operator authorized under this chapter.

II. Nothing contained in this chapter prohibits the publication of statistics so classified as to prevent the identification of particular reports or returns and the items of the reports or returns, nor prohibits the inspection by the attorney general, the commissioner of internal revenue of the United States, or their agents of the reports, returns, books, or records of any operator.

III. Reports and returns shall be preserved for two years and thereafter until the commission orders them destroyed.

IV. A person who violates a provision of this section shall be fined not more than one thousand dollars or imprisoned not more than one year, or both, and if the offender is an officer or employee of the state, he shall be dismissed from office and be incapable of holding any public office for a period of five years thereafter.

**78-A:23 Disposition of Funds.** The tax commission shall pay over all funds collected under this chapter to the state treasurer, for deposit in the meals and room tax fund. On or before October 1 of each year, the tax commission shall determine the cost of the administration of this chapter for the fiscal year ending on the preceding June 30 and it shall notify the state treasurer of these costs by a report certified by them as to its correctness. After deducting the costs of the administration of the chapter from the total income and on or before October 15 of each year the treasurer shall distribute the net income as follows:

(a) Sixty per cent into the general fund;

(b) Forty per cent to the unincorporated places, towns, and cities to be divided on the basis of a flat grant per resident pupil in each unincorporated place, town, and city for the preceding school year as certified by the commissioner of education.

**78-A:24 Expenses.** Expenses under this chapter are a charge upon the tax collected. Until taxes are received, the state treasurer shall pay the expenses out of the general funds and he shall reimburse the general funds when taxes are collected.

**213:2 Effective Period of the Tax.** The provisions of RSA 78-A as inserted by section 1 of this act shall be in effect for the collection of taxes for two years after the effective date of the chapter as inserted. At the end of the two-year period the provisions of RSA 78-A are suspended unless the general court enacts legislation to continue the tax and the other provisions of the chapter.

**213:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 20, 1967.]

[Effective date August 19, 1967.]

[Effective Date Changed by 1967, 409:10 so that  
RSA 78-A:6 is effective August 19, 1967 and the  
entire balance of the act is effective July 7, 1967.]

**CHAPTER 214.**

AN ACT RELATIVE TO TRAFFIC IN MOTOR VEHICLES WITH CHANGED IDENTIFICATION NUMBERS AND REPORTS OF UNCLAIMED MOTOR VEHICLES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**214:1 Motor Vehicle Violations.** Amend RSA 260 by inserting after section 7 the following new sections:

**260:7-a — Changed or Removed.** Any person who buys, receives, possesses, sells or disposes of a motor vehicle or an engine for a motor vehicle, knowing that an identification number of said motor vehicle or engine has been removed, defaced, obliterated, or changed shall be fined not more than one hundred dollars or imprisoned not more than six months, or both; provided, however, if upon discovery by any person that an identification number has been removed, defaced, obliterated, or changed, he shall report the same to the nearest police station and shall not be charged with a violation of this section.

**260:7-b — Concealing Identity of Vehicle.** Any person who buys, receives, possesses, sells or disposes of a motor vehicle or an engine for a motor vehicle, with knowledge that an identification number of the motor vehicle or engine has been removed, defaced, obliterated, or changed and with intent to conceal or misrepresent the identity of the motor vehicle or engine shall be fined not more than five hundred dollars, or imprisoned not less than one nor more than three years, or both.

**214:2 Unclaimed Motor Vehicles.** Amend RSA 266 by inserting at the end thereof the following new subdivision:

**Unclaimed Motor Vehicles**

**266:9 Report Required.** Any operator of a place of business for garaging, repairing, parking or storing motor vehicles for the public, in which a motor vehicle remains unclaimed for a period of thirty days shall, within ten days after the expiration of that period, report said vehicle as unclaimed to the nearest police station. Such report shall be on a form prescribed by the department of safety. A motor vehicle left by its owner whose name and address are known to the operator or his employee is not considered unclaimed.

**266:10 Forfeiture of Liens.** Any person who fails to report a motor vehicle as unclaimed, as required by this subdivision, shall forfeit all claims and liens for its garaging, parking or storing and shall be fined not more than fifty dollars or imprisoned not more than three months.

**214:3 Takes Effect.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

**CHAPTER 215.****AN ACT RELATING TO EXCAVATING, FILLING AND DREDGING IN AND  
ADJACENT TO TIDAL WATERS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**215:1 Tidal Waters.** Amend RSA by inserting after chapter 483 the following new chapter:

**Chapter 483-A****Tidal Waters**

**483-A:1 Excavating and Dredging.** No person shall excavate, remove, fill or dredge any bank, flat, marsh, or swamp in and adjacent to tidal waters without written notice of his intention to excavate, remove, fill or dredge to the New Hampshire Port Authority. Said notice shall be sent by registered mail to the New Hampshire Port Authority at least thirty days prior to such excavating, removing, filling or dredging with a detailed plan drawn to scale of the proposed project.

**483-A:2 Hearing.** The New Hampshire Port Authority shall hold a public hearing on said proposal within thirty days of the receipt of said notice, and shall notify by mail the person intending to do such excavating, removing, filling or dredging, the department of public works and highways, the selectmen or the proper city official of the municipality involved, the office of planning and research, division of economic development or its successor, the water pollution commission and the New Hampshire fish and game department of the time and place of said hearing.

**483-A:3 Powers of New Hampshire Port Authority.** The New Hampshire Port Authority may deny the petition, or may require the installation of bulkheads, barriers, proper retention and, or, containment structures to prevent subsequent fill runoff back into tidal waters or other protective measures. If the area on which the proposed work is to be done contains shellfish or is necessary to protect marine fisheries and wildlife, the director of the New Hampshire fish and game department may impose such conditions or measures as he may determine necessary to protect such shellfish or marine fisheries and wildlife, and work shall be done subject thereto.

**483-A:4 Rehearing.** Any party to the action or proceedings before the New Hampshire Port Authority may apply for a rehearing under the procedure as provided by RSA 541.

**483-A:5 Penalty.** Whoever violates any provision of this chapter shall be liable for the removal of fill, spoil or structure placed in violation hereof and shall be fined not more than one thousand dollars, and

the superior court shall have jurisdiction in equity to restrain a continuing violation of this chapter.

**215:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 22, 1967.]

[Effective date June 22, 1967.]

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## CHAPTER 216.

### AN ACT RELATIVE TO ENACTING OR AMENDING ZONING ORDINANCES IN TOWNS AND DISTRICTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**216:1 Method of Enactment in Towns and Village Districts — By Zoning Commission and Planning Board.** Amend section 63-a (supp) of RSA 31 as inserted by 1963, 5:2 and amended by 1965, 318:1 by striking out said section and inserting in place thereof the following sections:

**31:63-a Method of Enactment in Towns and Village Districts.** Each village district must be specifically authorized to zone by the legislature. Any proposed zoning ordinance, as submitted by a planning board or a zoning commission or any amendment to an existing zoning ordinance as proposed by a zoning commission, planning board, board of selectmen or village district commission shall be submitted to the voters of a town or village district in the following manner: There shall be at least two public hearings at least fifteen days apart on the regulation or restriction at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days' notice of the time and place of each such public hearing shall be published in a paper of general circulation in the town or village district and a legal notice thereof shall also be posted in at least three public places in such town or village district. The public hearings shall be held by the zoning commission or the planning board. After the first public hearing, the zoning commission or the planning board shall consider all changes proposed to the ordinance or amendment at that hearing, and shall vote to accept or reject such changes prior to the second public hearing. The notice of the second public hearing must include either the text or an adequate statement of all changes in the proposed ordinance or amendment considered at the first hearing which were subsequently accepted by the zoning commission or the planning board. At least fifteen days' notice of the time and place of each such public hearing shall be published in a paper of general circulation in the town or village district and a notice thereof shall also be posted in at least three public places in such town



or village district. After the second public hearing the zoning commission or the planning board shall, by vote, determine the final form of the ordinance, amendment or amendments, to be presented to the town or village district which shall conform, in substance, to that submitted to the second hearing but may include editorial revisions and textual modifications resulting from the proceedings of that hearing. Official copies of the final proposed ordinance, amendment or amendments, to an existing ordinance and of any proposed zoning map, shall be placed upon file, and shall be made available to the public, at the office of the town or village district clerk two weeks prior to the date at which action is to be taken, and a like copy of the proposed ordinance or amendment to an existing ordinance, and of any proposed zoning map, shall be on display to the voters on the day of the meeting. If the town or village district has adopted an official ballot for the election of its respective officers, the issue as to the adoption of the proposed ordinance or amendment shall be presented to the voters of the town or village district by the inclusion of the following question on the said official ballot as prepared by the town or village district clerk: "Are you in favor of the adoption of the zoning ordinance, (or amendment to the existing town (village district) zoning ordinance) as proposed by the planning board (zoning commission)?" In the event that there shall be more than a single proposed amendment to be submitted to the voters at any given meeting, the issue as to the several amendments shall be put in the following manner: "Are you in favor of the adoption of Amendment No. .... as proposed by the planning board (the zoning commission) for the town (village district) zoning ordinance as follows?" (Here insert topical description of substance of amendment.) If such action is to be taken at a meeting other than the one at which officers are to be elected the clerk shall prepare a special ballot containing the question or questions above stated and the meeting shall open not later than noon and shall remain open at least eight hours. If such action is to be taken at a meeting in a town or village district which has not adopted an official ballot the clerk shall likewise prepare a special ballot for the use of voters in voting on the question. If a majority of the voters present and voting on any question or questions as herein provided shall vote in the affirmative the ordinance or amendment thereto shall be declared to have been adopted. When submitting any question to the voters under this section, the form of the ballot shall be as prescribed by RSA 59:12-a.

**31:63-b By Petition.** Upon the petition of twenty-five voters for an amendment to a zoning ordinance, the zoning commission or the planning board, shall proceed and submit the amendment or amendments to the voters of a town or village district as prescribed in section 63-a. The planning board or zoning commission may not reject the amendment or amendments proposed by the petition of twenty-five voters, but

shall submit the proposed amendment or amendments to the voters as offered by the petition. The petitioners shall submit the proposed amendment or amendments to the zoning ordinance in correct form to amend the existing zoning ordinance as determined by the selectmen or village district commissioners. The following question shall be submitted to the voters: "Are you in favor of the adoption of the amendment to the zoning ordinance as proposed by petition of the voters for this town (village district)?" The approval or disapproval of the planning board or the zoning commission shall also be noted on the ballot immediately following the question. In the event that there shall be more than a single proposed amendment to be submitted to the voters at any given meeting, the issue as to the several amendments shall be put in the following manner: "Are you in favor of the adoption of Amendment No. .... as proposed by petition of the voters for this town (village district)?" (Here insert topical description of substance of amendment.) The approval or disapproval of the planning board or the zoning commission shall also be noted on the ballot immediately following the question. An amendment proposed by petition shall be submitted to the voters *only* at an annual town or village district meeting.

**216:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

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## CHAPTER 217.

AN ACT RELATIVE TO PREPARATION OF THE APPROPRIATION ACTS FOR  
1967-68 AND 1968-69.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**217:1 Appropriation Acts.** Notwithstanding any other provisions of laws the appropriation acts for the fiscal years ending June 30, 1968, and June 30, 1969, shall not be engrossed by the secretary of state as provided in RSA 14:8 but a photographic copy of each of said acts shall be made from the original bills and such photographic copies shall be signed by the speaker of the house and president of the senate and presented to the governor for his approval as required by RSA 14:9. Said acts so prepared shall be deemed to have been properly engrossed.

**217:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 22, 1967.]

[Effective date June 22, 1967.]

**CHAPTER 218.**

AN ACT RELATIVE TO A WIFE'S RIGHT TO RECOVER FOR LOSS OF CONSORTIUM  
TO THE SAME EXTENT THAT A HUSBAND MAY DO SO.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**218:1 Right of Action.** Amend RSA 507 by inserting after section 8 the following new section: **8-a Loss of Consortium.** In a proper action, either a wife or husband is entitled to recover damages for loss or impairment of right of consortium whether caused intentionally or by negligent interference.

**218:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

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**CHAPTER 219.**

AN ACT TO EXEMPT VETERANS, INCLUDING VIET NAM VETERANS, FROM  
PAYMENT OF FIFTY DOLLARS OF REAL ESTATE TAXES AND WIDOWS  
AND TOTALLY DISABLED IN PROPORTION.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**219:1 Fifty Dollar Service Exemption.** Amend RSA 72:28, I (supp) as amended by 1955, 289:1; 1963, 49:1, 118:1, and 324:1; and 1967, 35:1 by striking out the same and inserting in place thereof the following: I. Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, Korean Conflict, or Viet Nam Conflict, as hereinafter defined who has been discharged or separated therefrom under conditions other than dishonorable or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, in consideration of such service, shall be exempt each year from taxation upon his or her residential real estate in the amount of fifty dollars in taxes, and the widow of any such resident who suffered a service-connected death shall be exempt each year from taxation upon her real estate whether residential or not in the amount of fifty dollars in taxes.

**219:2 Delinquent Taxes.** Amend RSA 72:28-II, (supp) as amended by 1955, 289:1; 1963, 49:1, 118:1, and 324:1 by striking out the same

and inserting in place thereof the following: II. No exemption shall be granted to a resident otherwise qualified for exemption, who is delinquent in the payment of any taxes due the state or any political subdivision of the state, except to a resident, the spouse of a resident, or the widow of a resident whose service in the armed forces was ended for a service-connected disability.

**219:3 Widows of Persons Killed on Duty.** Amend RSA 72:29-a (supp) as inserted by 1963, 174:2 by striking out the same and inserting in place thereof the following: **72:29-a Widows.** The widow of any person who was killed or died while on active duty in the armed forces of the United States or any of the armed forces of any of the governments associated with the United States in the wars, conflicts or armed conflicts, or combat zones set forth in section 28, so long as she remains his widow, shall be exempt each year from taxation upon her real and personal property, whether residential or not, in the amount of four hundred dollars in taxes.

**219:4 Limitation on Fractional Interests.** Amend RSA 72:30 (supp) as amended by 1955, 289:2 by striking out the same and inserting in place thereof the following: **72:30 — Proration of Exemption.** If any entitled person or persons shall own a fractional interest in residential real estate each such entitled person shall be granted exemption in proportion to his interest therein with other persons so entitled, but in no case shall the total exemption exceed fifty dollars except as provided in section 31.

**219:5 Dual Exemption.** Amend RSA 72:31 (supp) as amended by 1955, 289:3 by striking out the same and inserting in place thereof the following: **72:31 — Husband and Wife.** A husband and wife, each qualified for exemption, shall be exempt each year from taxation upon their residential real estate in the amount of one hundred dollars in taxes.

**219:6 Total Disability.** Amend RSA 72:35 (supp) as amended by 1955, 283:1, 1963, 174:1 by striking out the same and inserting in place thereof the following: **72:35 — Total Disability.** If any person, qualified as defined in section 28 of this chapter, shall be totally and permanently disabled from service connection and satisfactory proof of such service connection is furnished to the assessors, or if such person be a double amputee or paraplegic as a result of service connection, he or his wife or widow shall be exempt each year from taxation upon his or her real or personal property in the amount of four hundred dollars in taxes under the conditions set forth in sections 28, 30, 31 and 32 of this chapter; provided that, in the case of undivided ownership, the limit of exemption shall be four hundred dollars as regards the interest of such entitled persons therein; and provided further that, if a person, qualified as defined in section 28 of this chapter who is a double amputee

or paraplegic as a result of service connection and owns a specially adopted homestead which has been acquired with the assistance of veterans administration he shall be exempt from all taxation on said homestead.

**219:7 Special Appropriation.** Amend RSA 41 by inserting after section 15-a (supp) as inserted by 1963, 120:2 the following new section: **41:15-b Service Exemptions Added to Appropriations.** Selectmen and assessors shall total the amount to be credited to veterans upon their tax bills, when the same has been determined, and add the same to the total amount of appropriations voted by the town or city as certified to the tax commission for the purpose of having a rate per cent of taxation computed.

**219:8 Effective Date.** This act shall take effect April 1, 1968.

[Approved June 22, 1967.]

[Effective date April 1, 1968.]

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## CHAPTER 220.

### AN ACT RELATING TO THE SALE OF PISTOLS AND REVOLVERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**220:1 Definition Modified.** Amend RSA 159:1 by striking out said section and inserting in place thereof the following: **159:1 Definition.** Pistol or revolver, as used herein, means any firearm with barrel less than sixteen inches in length. It does not include antique pistols or revolvers. An antique pistol or revolver, for the purposes of this chapter, means any pistol or revolver utilizing an early type of ignition, including, but not limited to, flintlocks, wheel locks, matchlocks, percussions and pin-fire, but no pistol or revolver which utilizes center fire or rim fire cartridges shall be deemed to be an antique pistol or revolver.

**220:2 Sentence Mandatory.** Amend RSA 159:2 by striking out said section and inserting in place thereof the following: **159:2 Carrying by Offenders.** If any person shall commit or attempt to commit a crime when armed with a pistol or revolver, he shall, in addition to the punishment provided for the crime, be imprisoned not less than two years nor more than five years for a first such offense. For any subsequent offense, such additional imprisonment shall be not less than ten years nor more than twenty years. The additional sentence of imprisonment hereby provided shall not be served concurrently with any other term; and no part of such additional term of imprisonment shall be suspended. The provisions of RSA 607 relative to parole shall not apply to any sentence imposed pursuant to the provisions of this section.

**220:3 Subsequent Offenses.** Amend RSA 159:4 by striking out said section and inserting in place thereof the following: **159:4 Carrying Without License.** No person shall carry a loaded pistol or revolver in any vehicle or concealed upon his person, except in his dwelling house or place of business, without a license therefor as hereinafter provided. A loaded pistol or revolver shall include any pistol or revolver with a magazine, cylinder, chamber or clip in which there are loaded cartridges. Whoever violates the provisions of this section shall, for the first such offense, be fined not more than one hundred dollars, or imprisoned not more than one year. For the second and for each subsequent violation of the provisions of this section, such person shall be imprisoned not less than two years nor more than five years.

**220:4 Action on Application.** Amend RSA 159:6, as amended by 1959, 100:1 and 1961, 166:3 by inserting after the word "years" in line thirteen the words (The license shall be issued within seven days after application therefor, and, if such application is denied, the reasons for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy thereof kept in the office of the person to whom the application was made) so that said section as amended shall read as follows: **159:6 License to Carry.** The selectmen of a town or the mayor or chief of police of a city, or some full-time police officer designated by them respectively, upon application of any resident of said town or city, or the director of state police, or some person designated by him, upon application of a nonresident, shall issue a license to such applicant authorizing him to carry a loaded pistol or revolver in this state for not more than two years from the date of issue, if it appears that the applicant has good reason to fear injury to his person or property or has any proper purpose, and that he is a suitable person to be licensed. Hunting or target shooting shall be considered a proper purpose. The license shall be in duplicate and shall bear the name, address, description and signature of the licensee. The original thereof shall be delivered to the licensee and the duplicate shall be preserved by the person issuing the same for two years. The license shall be issued within seven days after application therefor, and, if such application is denied, the reasons for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy thereof kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be two dollars, which fee shall be for the use of the law enforcement department of the town granting said licenses; the fee for licenses granted to out of state residents shall be four dollars, which fee shall be for the use of the state.

**220:5 Places of Business.** Amend RSA 159:8, I by striking out said paragraph and inserting in place thereof the following: I. The business shall be carried on only in the building designated in the license or at

any organized sporting show or arms collectors' meeting sponsored by a chartered club or organization.

**220:6 Nonresidents.** Amend RSA 159 by inserting after section 8 the following new sections:

**159:8-a Sales to Nonresidents; Attorney General.** No person holding a license issued under the provisions of section 8 shall sell a pistol or revolver to a nonresident unless such nonresident has authority under the laws of the state of his residence, to purchase a pistol or revolver in the state of his residence, or unless the director of the division of state police, for good cause shown, has issued to such nonresident a permit for the purchase of a pistol or revolver. The attorney general shall, at least once annually, file with the secretary of state a summary of the laws of each state of the United States relative to the purchase of pistols and revolvers in such states; and a licensee may rely upon such summary in determining if a nonresident offering to purchase a pistol or revolver has authority to make such purchase under the laws of the state of his residence.

**159:8-b Penalties.** If a licensee shall in any court be found guilty of a violation of any of the provisions of section 8-a, such court shall, for each such violation, order the suspension of his license for a period of three months, and may, in addition, impose a fine not in excess of one hundred dollars.

**220:7 Illegal Sales.** Amend RSA 159:10 by striking out said section and inserting in place thereof the following: **159:10 Sale Without License.** Whoever, without being licensed as herein provided, sells, advertises or exposes for sale, or has in his possession with intent to sell, pistols or revolvers shall, for a first offense, be fined not more than two hundred dollars or imprisoned not more than two years, and for a second or subsequent offense, he shall be fined not less than five hundred dollars nor more than one thousand dollars, or be imprisoned not more than two years, or both.

**220:8 False Statements.** Amend RSA 159:11 by striking out said section and inserting in place thereof the following: **159:11 False Information.** If any person in purchasing or otherwise securing delivery of a pistol or revolver shall give false information or offer false evidence of his identity he shall for a first offense be fined not less than one hundred dollars and not more than five hundred dollars, and for a second or subsequent offense he shall be imprisoned not less than one year and not more than three years.

**220:9 Exemption.** Amend RSA 159 by inserting after section 13 the following new section: **159:14 Exemption.** None of the provisions of this chapter shall prohibit an individual not licensed under the provisions thereof who is not engaged in the business of selling pistols or revolvers

from selling a pistol or revolver to a person licensed under this chapter or to a person personally known to him.

**220:10 Larceny.** Amend RSA 582 by inserting after section 2 the following section: **582:2-a Pistols and Revolvers.** If any person shall steal, take, and carry away any pistol or revolver, the property of another, he shall be imprisoned a year and a day for the first offense and for each subsequent offense no less than two nor more than five years.

**220:11 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

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## CHAPTER 221.

### AN ACT RELATIVE TO VOTING RIGHTS OF EX-OFFICIO MEMBERS OF PLANNING BOARDS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**221:1 Planning Boards.** Amend RSA 36:4 by inserting at the end thereof the following: (The ex-officio members shall be voting members of the respective boards) so that said section as amended shall read as follows: **36:4 Personnel of a Planning Board.** In the case of cities, the planning board shall consist of nine members, namely, the mayor, one of the administrative officials of the municipality who shall be selected by the mayor, and a member of council who shall be selected by it, as members ex-officio, and six persons who shall be appointed by the mayor, if the mayor be an elective officer, otherwise by such officer as the council may in the ordinance creating the planning board designate as the appointing power. In the case of towns, the planning board shall consist of either seven or five members, at the option of the town meeting, including in either case one selectman who shall be chosen by the selectmen to act as ex-officio member, and four or six persons, depending upon whether the entire planning board includes five or seven members, respectively, who shall be appointed by the selectmen. In the case of village districts, the planning board shall consist of either seven or five members, at the option of the village district meeting, including in either case one district commissioner who shall be selected by the district commissioners to act as ex-officio member, and four or six persons, depending upon whether the entire planning board includes five or seven members, respectively, who shall be appointed by the district commissioners. The ex-officio members shall be voting members of the respective boards.



**221:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

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## CHAPTER 222.

### AN ACT RELATIVE TO UNAUTHORIZED MANUFACTURE, POSSESSION OR SOLICITATION FOR SALE OF MOTOR VEHICLE MASTER KEYS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**222:1 Unauthorized Automobile Master Keys.** Amend RSA 263 by inserting after section 82 the following new subdivision:

#### **Motor Vehicle Master Keys**

**263:82-a Definition.** "Motor vehicle master key" means: (1) a key which may or may not be one of a set of similar keys, each key being made to operate a series or group of locks of the total lock series or group, the key or keys being constructed to take advantage of unplanned construction similarities in the series or group operated thereby (tryout key); or (2) a device other than the planned key or keys, which may be manipulated in a lock's keyway until such action develops a condition within the lock which enables the lock to be operated (manipulation key); but excludes keys supplied with the motor vehicle by the manufacturer or dealer of the exact duplicate of such keys; and excludes keys supplied with replacement locks or the exact duplicate of such keys.

**263:82-b Possession Prohibited.** No person shall have in his possession a motor vehicle master key except for the following:

I. Motor vehicle dealers registered under RSA 260:46.

II. Garage mechanics, parking lot attendants or others engaged in the business of repairing, storing or maintaining physical security over motor vehicles.

III. Law enforcement officers.

IV. Locksmiths, key makers or other persons engaged in the business of designing, making, altering, duplicating or repairing locks or keys.

V. A common or contract carrier when such keys are for use incidental to the conduct of its business.

VI. Officers or employees of any automobile club or association if such keys are for use in connection with the activities of such club or association.

VII. Employees of any governmental agency if such keys are for use in connection with the activities of such agency.

**263:82-c Prohibited Acts.** No person, firm, corporation, partnership or other business entity shall purchase, print, circulate, distribute, sell, or offer for sale advertising or publications containing advertisements promoting the sale of master keys as defined herein except in connection with trade publications or other advertisements intended primarily for those engaged in the activities specified in section 82-b.

**263:82-d Penalty.** Any person who violates the provisions of this subdivision shall be fined not more than one thousand dollars or imprisoned one to three years or both.

**222:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

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## CHAPTER 223.

### AN ACT RESTRICTING BOATING ON CERTAIN PONDS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**223:1 Restrictions on Boating.** Amend RSA 486:1 (supp) as amended by 1961, 171:1 by striking out said section and inserting in place thereof the following: **486:1 Lake Whittemore, Abbott Forest Pond in Stoddard, and Tolman Pond in Nelson.** On and after the date of the passage of this act, no person shall use or operate any motor boat or other boat equipped with an outboard motor on the waters of Lake Whittemore in the town of Bennington, Abbott Forest Pond in the town of Stoddard, or Tolman Pond in the town of Nelson.

**223:2 Restrictions on Boating.** Amend RSA 486 by inserting after section 6 (supp) as inserted by 1959, 193:1 the following new section: **486:7 Lee's Pond.** On and after July 1, 1967, no person shall use or operate any motor boat or other boat equipped with an outboard motor of more than seven and one-half horse power on the waters of Lee's Pond in the town of Moultonborough. Whoever violates any of the provisions of this section shall be fined not more than fifty dollars.

**223:3 Effective Date.** This act shall take effect upon its passage.  
[Approved June 22, 1967.]  
[Effective date June 22, 1967.]

**CHAPTER 224.****AN ACT RELATIVE TO PROCEDURE FOR ASSESSMENT OR RE-ASSESSMENT  
OF TAXES WHEN ORDERED BY THE TAX COMMISSION.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**224:1 Tax Assessment.** Amend RSA 71:13 (supp) as amended by 1955, 297:1; 1959, 123:2; 1963, 272:2 and 1965, 227:2 by striking out the same and inserting in place thereof the following: **71:13 — Procedure For.** When ordered to make an assessment or re-assessment the selectmen or assessors shall make it within such time as the tax commission orders. However, if such an order requires the re-assessment of all of the taxable property in a taxing district, the order shall allow at least one year after its date in which to make the re-assessment. If a town meeting or a city council prior to the expiration of the time prescribed in the order votes to have a complete re-appraisal made of all of the taxable property in the town or city, then the order of the commission is suspended until such time as the re-appraisal is completed. If the re-appraisal is satisfactory to the tax commission the order shall be removed. If the assessment or re-assessment is not made in conformity with the order, except as above provided, or if it is not satisfactory to the tax commission, the commission may make it or cause it to be made by professional appraisers employed for the purpose. The commission is authorized to incur the expense of the appraisal and to certify the cost thereof to the governor who shall draw his warrant on the state treasury out of any money not otherwise appropriated authorizing payment of the sum so certified.

**224:2 Appeal for Abatement.** Amend RSA 71:17 by striking out the section and inserting in place thereof the following: **71:17 Appeal from.** Any person aggrieved because of such reassessment, whether made by the selectmen or by or upon order of the tax commission, may within ninety days after notice of the revised tax apply in writing to the tax commission for an abatement of all or a portion of the revised tax, and upon the refusal of the tax commission to grant an abatement may petition the superior court for the county where the property is situate within ninety days after notice of the decision of the tax commission.

**224:3 Appraisers.** Amend RSA 71:30 (supp) as inserted by 1961, 90:1 by striking out the section and inserting in place thereof the following: **71:30 Appraisers of Taxable Property.** Every person, firm or corporation which shall intend to engage in the business of making appraisals for tax assessment purposes in this state shall notify the tax commission thereof in writing. No person, firm or corporation engaged in the business of making appraisals of taxable property for municipalities and taxing districts shall enter into any contract or agreement with any town, city or other governmental division without first submitting the proposed con-

tract or agreement to the tax commission for examination and approval and submitting to the tax commission such evidence of financial responsibility, professional capability of personnel to be employed under the contract and such other information as the tax commission may require.

**224:4 Effective Date.** This act shall take effect upon its passage.

[Approved June 22, 1967.]

[Effective date June 22, 1967.]

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## CHAPTER 225.

### AN ACT AUTHORIZING THE STATE TREASURER TO LAPSE CERTAIN ACCOUNTS TO THE GENERAL FUND.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**225:1 Bonds for Children's Study Home.** The authority of the state treasurer to issue further bonds for the children's study home, as authorized by Laws 1947, chapter 279, as amended by 1950, 8:8, 1951, 164:1, 1953, 240:1 and 1955, 328:1 is hereby cancelled and the balance of the bond issue now being carried on the books of the state treasurer in the amount of one hundred and thirty-seven thousand four hundred and sixteen dollars and forty-eight cents is hereby lapsed to the state general fund. The sum of four hundred and twenty-two dollars and ninety-four cents is hereby appropriated to pay expenditures chargeable to said bond issue and said sum shall be a charge upon the general fund.

**225:2 World War II Veterans' Bonus.** The authority of the state treasurer to issue further bonds for World War II veterans bonus, as authorized by Laws 1943, chapter 201, as amended by Laws 1945, chapter 157, is hereby cancelled and the balance of the bond issue now being carried by the state treasurer as a reserve account in the amount of two thousand five hundred nineteen dollars and thirty-two cents is hereby lapsed to the state general fund. In addition thereto the balance of three thousand four hundred and thirty-one dollars and sixty-six cents now being carried as an appropriation balance in a special fund, available only for veterans bonus payments, shall be lapsed to the state general fund. Notwithstanding any other statute any future claim for bonus payment for World War II service, approved by the adjutant general shall be submitted to the governor and council and if approved by them shall be paid and shall be a charge upon the state general fund.

**225:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

**CHAPTER 226.**

AN ACT RELATIVE TO THE DISCLOSURE OF INFORMATION ON THE RELEASE  
OF FISH BY THE FISH AND GAME DEPARTMENT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**226:1 Disclosure of Location.** Amend RSA 206:18 by striking out said section and inserting in place thereof the following: **206:18 Release of Information.** Not less than thirty days after stocking of said fish the director of fish and game shall release at such time as he deems advisable the number and size of fish and the name of the stream or pond or lake planted, but in no instance shall any employee of the fish and game department disclose where or when they were or will be planted. The director may penalize any employee who violates the provisions of this section as he deems reasonable and just.

**226:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

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**CHAPTER 227.**

AN ACT RELATIVE TO TIME FOR FILING WAIVER OF PROVISIONS OF WILL  
AND RELEASE OF DOWER AND HOMESTEAD RIGHTS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**227:1 Rights of Surviving Spouse.** Amend RSA 560:14 by striking out said section and inserting in place thereof the following: **560:14 Waiver and Release.** The waiver or release, or both, as the case may be, provided for in the four preceding sections shall be made in writing and shall be filed in the probate office within six months after the appointment of an executor or administrator, and not afterwards, unless by permission of the judge of probate for good cause shown. In cases under sections 11 and 13 the waiver and release shall be recorded in the registry of deeds for the county in which the real estate is situated.

**227:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

**CHAPTER 228.**

AN ACT INCREASING THE AMOUNT OF WAGES WHICH ARE EXEMPT  
FROM TRUSTEE PROCESS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**228:1 Exemption Increased.** Amend paragraph II (supp) as amended by 1961, 245:5 of RSA 512:21 by striking out the same and inserting in place the following: II. Except as otherwise provided in paragraphs IX and X of this section wages of the defendant earned before the service of the writ upon the trustee to the amount of forty dollars for each week shall be exempt. The employer shall pay said exempted amount to the employee on the usual pay day unless other cause exists prohibiting such payment.

**228:2 Prior Earnings.** Amend paragraph IX (supp) as amended by 1961, 245:4 of RSA 512:21 by striking out the same and inserting in place the following: IX. Wages of the defendant earned before the service of the writ upon the trustee, to the amount of fifty dollars for each week shall be exempt in any action founded upon any loan contract subject to the provisions of RSA 399-A.

**228:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

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**CHAPTER 229.**

AN ACT TO PROVIDE FACILITIES WHERE OBSERVATION AND STUDY CAN BE  
MADE AS TO WHETHER A PERSON IS AN INEBRIATE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**229:1 Temporary Commitment.** Amend paragraph II of RSA 172:13 by striking out the same and inserting in place thereof the following: II. Any justice of the superior court and any justice of a municipal or district court on petition of the executive director may commit to the care and custody of the New Hampshire Hospital for a period of not less than thirty days nor more than ninety days any person found by the court on hearing to be an inebriate. The superintendent of the New Hampshire Hospital shall be notified of the filing of any such petition by the court having jurisdiction thereof, and he may appear as an interested party. If the presiding justice finds the evidence sufficient to justify finding that

the petitionee may be an inebriate, he may, pending the order as to commitment, as provided above, commit such petitionee to the New Hampshire Hospital for a period of not more than fourteen days and require him during said period to submit to the superintendent thereof, for observation and study to determine whether in the judgment of the superintendent said petitionee is an inebriate. Said period of observation may be completed in cooperation with the program on alcoholism. At the end of such period the superintendent in cooperation with the executive director shall report his findings to the presiding justice. The findings of the presiding justice on all questions of fact presented by any proceedings brought before him under this paragraph shall be final.

**229:2 Effective Date.** This act will take effect sixty days after passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

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## CHAPTER 230.

### AN ACT TO AUTHORIZE COOPERATIVE BANKS AND BUILDING AND LOAN ASSOCIATIONS TO ESTABLISH BRANCH OFFICES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**230:1 Cooperative Banks.** Amend RSA 393 by inserting after section 59 (supp) as inserted by 1967, 119:1 the following new section: **393:60 Branch Offices.** A cooperative bank or savings and loan association or building and loan association may establish or operate a branch upon receipt of a warrant to do so from the bank commissioner, who shall issue such warrant only when satisfied that public convenience and advantage will be promoted thereby and that the financial history, and condition of the institution concerned including its capital fund is considered adequate. The commissioner may require such notice on an application for a branch as he deems proper. A cooperative bank or savings and loan association or building and loan association shall be permitted to establish or operate a branch within a radius of fifteen miles of its principal office. If granted, the commissioner shall issue his warrant in duplicate, one copy to be delivered to the bank or association and the other to the secretary of state for record. Within ten days after opening a branch the bank or association shall file with the commissioner a certificate thereof signed by its president or treasurer. The right to open a branch shall lapse at the end of one year from the date of filing the commissioner's warrant with the secretary of state, unless it shall have been opened and business actually begun in good faith. An application for permission to open a branch shall not be acted upon until the petitioning bank or asso-

ciation shall have paid to the state treasurer the sum of two hundred dollars, for the credit of the commissioner.

**230:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

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## CHAPTER 231.

### AN ACT RELATIVE TO LARCENY OF RENTED PERSONAL PROPERTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**231:1 Larceny.** Amend RSA 582 by inserting after section 16 as inserted by 1965, 100:1, a new section as follows: **582:17 Rented Tools or other Articles.** I. A person is guilty of larceny (a) who refuses or wilfully neglects to return any mechanic's tools, garden tools, painter's equipment, carpenter's tools, plumber's tools, household equipment, or any other personal property that is delivered to him on a rental or lease basis under any agreement in writing which provides for its return to a particular place at a particular time after the time specified in the lease or rental agreement, and (b) who refuses or wilfully neglects to return any such an article after the expiration of time stated in a demand for its return in a written notice which is mailed by registered mail addressed to the address given by him at the time of the renting or leasing, or which is delivered to him in person, if the date specified in the notice is no sooner than ten days after the notice has been mailed or delivered. II. It is prima facie evidence of intent to commit larceny under this section if the person who has received the rented or leased article (a) presents identification at the time of leasing or renting the article which is false or fictitious in name, address, place of employment, or other items of identification, or (b) fails to return the article on or before the day specified in the demand for its return contained in the notice mailed to him by registered mail or delivered to him under paragraph I of this section.

**231:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]



**CHAPTER 232.****AN ACT TO REGULATE THE TOWING OF MOTOR VEHICLES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**232:1 Towing of Motor Vehicles.** Amend RSA 263 by inserting after section 90 as inserted by 1965, 299:1 the following new subdivision:

**Towing of Motor Vehicles**

**263:91 Tow Bars Required.** Except for duly registered wrecking vehicles and transporters or motor vehicles towing with a chain or cable for no more than one mile another motor vehicle which is disabled and unable to proceed under its own power, no motor vehicle shall be used to tow another motor vehicle upon the public highways unless the two vehicles shall be connected by a tow bar of sufficient strength to control the movement of the vehicle being towed without manual steering of said towed vehicle.

**263:92 Lighting Required.** Except for duly registered wrecking vehicles and transporters no motor vehicle shall be used to tow another upon the public highways between one-half hour after sundown and one-half hour before sunrise unless the vehicle being towed shall display at least one lighted tail lamp or auxiliary rear light to the extreme left of the rear axle.

**232:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 22, 1967.]

[Effective date August 21, 1967.]

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**CHAPTER 233.****AN ACT RELATING TO ZONING APPEALS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**233:1 Provisions for Appeal.** Amend RSA 31:77 by striking out the same and inserting in place thereof the following: **31:77 Appeal from Decision on Motion for Rehearing.** Any person aggrieved by any decision of the board of adjustment or any decision of the legislative body of such municipality may apply to the superior court within thirty days after the action complained of, has been recorded, by petition, setting forth that such decision is illegal, unjust or unreasonable, in whole or in part, and specifying the grounds upon which the same is claimed to be illegal, unjust or unreasonable.

**233:2 Effective Date.** This act shall take effect sixty days after its passage provided, however, that no provision of this act shall affect any appeal pending on the effective date hereof.

[Approved June 22, 1967.]

[Effective date August 21, 1967  
and as specified.]

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## CHAPTER 234.

### AN ACT RELATING TO INVESTMENTS OF SAVINGS BANKS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**234:1 Liquidity of Reserves.** Amend RSA 387:2 (supp) as amended by 1963, 326:4 and 1967, 23:2 by striking out said section and inserting in place thereof the following: **387:2 Requirements; Exception.** Savings banks shall maintain a reserve of not less than five per cent of the amount of their deposits in cash, including balances in other banks, and/or obligations of the United States of America at par value the maturity of which shall not exceed five years, and/or the obligations of agencies of the United States (as are designated by written ruling of the bank commissioner) at par value the maturity of which shall not exceed five years, and shall make investments of the balance of their funds only in the classes of securities and loans authorized by this chapter, provided, however, that said requirement with respect to said reserve shall not apply to any bank which is a member of the Federal Reserve System.

**234:2 Limitations.** Amend paragraph I (supp) as amended by 1955, 214:18 and 318:1 and paragraph II of RSA 387:3 by striking out said paragraphs and inserting in place thereof the following: I. Not exceeding fifteen per cent of capital funds shall be invested in the obligations or stock of any individual, partnership or corporation except public obligations, obligations of agencies of the United States as are designated by written ruling of the bank commissioner, loans authorized by paragraphs IV and V of section 4 of this chapter, and those portions of loans on industrial real estate guaranteed by the state of New Hampshire under RSA 162-A:14-a-c, or guaranteed by any state contiguous to New Hampshire under terms providing security equal to or greater than those of RSA 162-A:14-a-c. Notwithstanding the foregoing a bank having deposits of one million five hundred thousand dollars or less may invest, in loans authorized by paragraph I of section 4 of this chapter, an amount to any one borrower not exceeding two and one-half per cent of deposits or fifteen per cent of capital funds, whichever is greater, but in no case in excess of twenty-two thousand five hundred dollars unless in such case

fifteen per cent of capital funds exceeds said latter sum, in which case the limit shall be fifteen per cent of capital funds for such bank.

I-a. Obligations as endorser or guarantor of notes which carry a full recourse endorsement or unconditional guarantee by the individual, partnership or corporation transferring the same, shall be subject to the limits established by paragraph I; provided, however, that if the bank's files or the knowledge of its officers of the financial condition of each maker of such notes is reasonably adequate, and upon certification by an officer of the bank designated for that purpose by the board of trustees or directors of the bank, that the responsibility of each maker of such notes has been evaluated and the bank is relying primarily upon each such maker for the payment of such notes, the limitations of paragraph I as to the obligations of each such maker shall be the applicable loan limitation: provided, further, that such certification shall be in writing and shall be retained as part of the records of such bank.

II. Not exceeding ten per cent of deposits shall be invested in each of the following types of security: (1) Bonds of the Dominion of Canada, its provinces and cities, and (2) Real estate mortgage loans authorized by paragraph I of section 4 of this chapter if the amount of the loan exceeds eighty per cent of the value of the real estate by which it is secured. Provided further that no mortgagor, with respect to real estate mortgage loans which fall in this category, shall be permitted, directly or indirectly, to mortgage to any bank at any one time more than two dwelling units of capacity not exceeding four families each.

II-a. Not exceeding fifteen per cent of deposits shall be invested in the following types of security: (1) Unsecured Loans.

**234:3 Capital Notes.** Amend paragraph V of RSA 387:3 by striking out said paragraph and inserting in place thereof the following: V. Not exceeding sixty-five per cent in aggregate of the deposits shall be invested in the following securities: (1) Railroads, (2) Utility Companies, (3) Water Companies, (4) Telephone and Telegraph Companies, (5) New Hampshire Companies, (6) Insurance Stock, (7) Banks, (8) Investment Trust Shares, and (9) Industrial Securities; provided, however, that not exceeding fifteen per cent of the deposits may be invested in preferred and common stock, including shares of investment trusts.

**234:4 Savings Banks Investments.** Amend paragraph I of RSA 387:4 (supp) as amended by 1955, 214:13, 1959, 61:1, 1961, 246:2, and 1963, 326:2 by striking out said paragraph and inserting in place thereof the following: I. Real Estate in New Hampshire and Contiguous States. Those directly secured by first mortgage on real estate situated within this state or within any state contiguous to this state; but no such investment shall be in a loan which exceeds seventy-five per cent of the value of the real estate by which it is secured; except that investment may be

in a loan which exceeds seventy-five per cent but not ninety per cent of the value of the real estate by which it is secured, provided that it shall be secured by a first mortgage on real estate containing one or more dwelling units for not more than four families each and which mortgage or mortgage note shall provide for payment of the note within a period of thirty years from the date when the first monthly payment shall become due, and the first monthly payment shall become due nine months from the date of the note or one month from the final disbursement of funds, whichever shall first occur, and which payments, so long as the balance of the loan exceeds seventy-five per cent of the value of the real estate by which it is secured, shall include a proportionate share of the amount necessary to pay the real estate and other taxes upon such property. No loan or mortgage shall be made except upon written application showing the date, name of applicant, amount asked for and security offered, and except upon report of not less than two members of the board of trustees or board of directors, who shall certify on said application, according to their best judgment, on the basis of an appraisal made by one of their members, or by some officer of the bank, or some appraiser employed by the bank for the purpose of appraisal, the value of the premises to be mortgaged; and such application shall be filed and preserved with the records of the corporation. The premises so mortgaged shall be revalued in the same manner at intervals of five years so long as they are mortgaged to the bank, provided that such revaluation may be omitted on any such fifth anniversary if on such date the ratio of the unpaid principal balance of the loan to the last prior appraised value of the premises is less than fifty per cent. If as a result of any such revaluation the amount of the loan is found to be in excess of the authorized percentage of the value of the premises mortgaged, a sufficient reduction in the amount of the loan shall be required, as promptly as may be practical, to bring the loan to within the authorized percentage. In determining whether any loan exceeds the authorized percentage of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or (2) an obligation wholly guaranteed under such title, or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, or (4) that portion of a loan on industrial real estate guaranteed by the state of New Hampshire under RSA 162-A:14-a-c, or guaranteed by any state contiguous to New Hampshire under terms providing security equal to or greater than those of RSA 162-A:14-a-c. No bank shall be restricted to the above authorized percentages on a loan secured by property which the borrower is purchasing from the bank.

**234:5 Long Term Leases.** Amend paragraph II-b of RSA 387:4 (supp) as inserted by 1961, 246:3 by striking out said paragraph and in-

serting in place thereof the following: II-b. Buildings on land leased from the state, any political subdivision thereof, or from any person, firm or corporation shall be construed to be real estate for the purposes of paragraph I as follows: improvements, buildings and structures on such leased land upon which the mortgagor holds a lease for an unexpired term of not less than twenty-one years duration, which term shall not include the term which may be provided by an option of renewal. No mortgage loan upon such lease shall be made or acquired by a savings bank unless the terms thereof shall provide for amortization payments to be made by the borrower on the principal thereof in amounts sufficient to completely amortize the loan within a period of sixty-six and two-thirds per cent of the unexpired term of the lease, which term shall not include the term which may be provided by an option of renewal.

**234:6 Guaranteed Portion of Loan Excluded.** Amend paragraph III of RSA 387:4 by adding at the end of said paragraph the following new sentence: (In determining whether a loan exceeds the authorized percentage of value of such equipment, furnishings and machinery, no consideration shall be given to that portion of such loan which is guaranteed by the state of New Hampshire under RSA 162-A:14-aa.) so that said paragraph as amended shall read as follows: III. EQUIPMENT, MACHINERY AND FURNISHINGS ON NEW HAMPSHIRE REAL ESTATE. Those directly secured by first mortgage on (1) equipment of the types which are accepted for mortgage by the Federal Housing Commissioner and which is declared by the mortgagor to have been affixed to and become a part of the real estate, or (2) equipment, furnishings or machinery of a commercial nature; provided, that the value of such equipment, furnishings or machinery be appraised in accordance with paragraph I of this section separately from the real estate on which it stands and that the part of a loan based upon such equipment, furnishings or machinery shall not exceed thirty-three and one-third per cent of the value of such equipment, furnishings or machinery, and further provided that such equipment, furnishings or machinery be installed on real estate located within this state and that such real estate is also subject to the same mortgage, in accordance with paragraph I of this section, the value of which real estate provides security for not less than seventy-five per cent of the loan. The equipment, furnishings, or machinery so mortgaged shall be revalued in the same manner as above at intervals of not more than two years so long as they are mortgaged to the corporation. In determining whether a loan exceeds the authorized percentage of value of such equipment, furnishings and machinery, no consideration shall be given to that portion of such loan which is guaranteed by the state of New Hampshire under RSA 162-A:14-aa.

**234:7 Farmers Home Administration.** Amend paragraph V of RSA 387:4 by striking out said paragraph and by inserting in place thereof the following: V. Loans Insured by the United States Government through

the Secretary of Agriculture. Those secured by mortgage on real estate within the United States without respect to the value of such real estate if the Secretary of Agriculture has insured, or made commitment to insure, such notes or bonds, provided the laws of the United States entitle the mortgagee to receive payment of such insurance in cash.

**234:8 Other Mortgages.** Amend paragraph VI of RSA 387:4 (supp) as amended by 1955, 214:14, by striking out said paragraph and inserting in place thereof the following: VI. Other Real Estate. Those directly secured by first mortgage on real estate situated without this state and those states contiguous to it, but entirely within the United States, which at the time of such investment is improved, occupied and productive; and no such investment shall be in a loan that exceeds fifty per cent of the value of the real estate by which it is secured, unless the loan is further secured by a guaranty satisfactory to the commissioner, in which case it shall not exceed seventy per cent of the value of the real estate by which it is secured. In determining whether any loan exceeds the above specified percentage of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans Affairs under Title III of the Servicemen's Readjustment Act of 1944 as amended from time to time, or (2) an obligation wholly guaranteed under such title, or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase. A bank shall not be restricted to the above authorized percentage on a loan secured by property which the borrower is purchasing from the bank. The provisions of this paragraph shall not apply to bonds of railroads, utilities, water companies or telephone and telegraph companies. No loan shall be made under this paragraph VI upon real estate situated outside New England except through or from mortgagees designated as approved by the Federal Housing Administration, or except through or from an individual, partnership, association or corporation duly registered as a dealer in securities in this state, nor except upon written application showing the date, name of applicant, amount asked for and security offered.

**234:9 Installment Contracts for Real Estate.** Amend RSA 387:5 by adding after paragraph III-a (supp) as inserted by 1955, 214:6 the following new paragraph: III-b. Assigned installment contracts for the sale of real estate, purchased from the Administrator of Veterans Affairs, and fully guaranteed by him in accordance with federal law.

**234:10 Punctuation.** Amend paragraph III of RSA 387:6 by inserting a semi-colon in place of a comma after the words, United States, so that the paragraph as amended shall read as follows: III. Other States; Certain Municipalities. The authorized bonds or notes of any state or territory of the United States; and of any city of the States of Maine, Vermont, Massachusetts, Rhode Island, Connecticut or New York, whose net in-

debtedness does not exceed seven per cent of its assessed valuation; or of any other municipality in said states whose net indebtedness does not exceed five per cent of such valuation.

**234:11 Bank Notes.** Amend paragraph I of RSA 387:13 by striking out said paragraph and inserting in place thereof the following: I. New Hampshire Banks. The capital stock of any banking or trust company, or the special deposits of any guaranty savings bank incorporated under the laws of this state and doing business therein, and the capital notes and the capital stock of any national bank in this state; but the amount of such notes or stock or special deposits held by any savings bank as an investment and as collateral for loans shall not exceed one-fourth of the total capital notes and capital stock of such banking or trust company or guaranty savings bank or national bank.

**234:12 Capital Notes.** Amend RSA 387:13 by inserting after paragraph II the following new paragraph: III. Capital Notes. The capital notes of any of the other banks described in paragraph II hereof provided the capital stock of such bank is a legal investment.

**234:13 Holding Companies.** Amend RSA 387:13 by inserting at the end thereof the following new paragraph: IV. Bank Holding Companies. The capital stock of bank holding companies which are registered with the Board of Governors of the Federal Reserve System under Title 12, United States Code, Chapter 17.

**234:14 Removal of Commission.** Amend RSA 387:14 by striking out said section and inserting in place thereof the following: **387:14 Investment Trust Shares.** The following described securities are legal investments: The shares of any management type investment company or investment trust which is registered as an "open-end company" under the Federal Investment Company Act of 1940 as from time to time amended and which is also authorized for sale by the Insurance Commissioner of the State of New Hampshire, if said company or trust (a) shall have been in existence for at least ten years, and (b) shall have net assets of not less than ten million dollars at the date of purchase, and (c) shall have outstanding no bonds, debentures, notes or other evidences of indebtedness or any stock having priority over the shares being purchased either as to distribution of assets or payment of dividends, and (d) shall have paid annual dividends from investment income in each of the ten years next preceding said purchase, and (e) during each of the two years next preceding said purchase shall not have made any distribution from realized capital gains except during (1) the last quarter of the Federal taxable year of said company or trust and/or (2) such further period after the close of such taxable year as is permitted under Section 362 of the Federal Internal Revenue Code, as from time to time amended, for use by said company or trust by way of reduction of its tax; provided, however, that the total amount of such shares which may be held by any savings

bank as an investment and as collateral security for loans shall not exceed five per cent of the total assets of such investment company or investment trust.

**234:15 Federal Agency Obligations.** Amend RSA 387:16 (supp) as amended by 1955, 214:10 by inserting at the end thereof the following new paragraph: VI. Obligations of Federal Agencies. (1) The authorized notes, debentures or other obligations of the Export-Import Bank of Washington. (2) Other authorized notes, debentures or other obligations of any federally-chartered corporation which is an agency of the United States, which are designated by written ruling of the bank commissioner.

**234:16 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 23, 1967.]

[Effective date August 22, 1967.]

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## CHAPTER 235.

### AN ACT REQUIRING THE USE OF A CHECKLIST AT SCHOOL DISTRICT MEETINGS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**235:1 School District Meetings; Use of Checklist.** Amend RSA 197:12 by striking out said section and inserting in place thereof the following: **197:12 — Checklist.** A checklist shall be used at all school district meetings including cooperative districts for election of officers and shall be used when bond issues are involved and at other times when requested. The school board, unless the district has voted to adopt the town checklist as provided in section 12-a, shall make, post and correct a list of the legal voters of the district, as supervisors are required to do in regard to the list of voters in their towns, and such list shall be used and checked at the election of officers of the district and otherwise at meetings of the district as checklists are used at town meetings. At all special meetings the checklists properly corrected and used at the last annual meeting may be used without further correction.

**235:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 23, 1967.]

[Effective date August 22, 1967.]



**CHAPTER 236.****AN ACT RELATIVE TO BOILER INSPECTION.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**236:1 New Chapter.** Amend RSA by inserting after chapter 157 the following new chapter:

**Chapter 157-A****Boilers and Unfired Pressure Vessels**

**157-A:1 Title.** This chapter shall be known and cited as the Boilers and Unfired Pressure Vessels Law and, except as otherwise herein provided, shall apply to all boilers and unfired pressure vessels.

**157-A:2 Definitions.** For the purposes hereof, the following words or phrases shall be defined as follows:

I. "Owner" means a person, partnership, association, or corporation who is the holder of title to, or who leases a boiler or boilers or unfired pressure vessels from the holder of title to, a building in which there are a boiler or boilers or unfired pressure vessels as defined in this section.

II. "Commissioner" means the commissioner of labor.

III. "Boiler" means a closed vessel in which water is heated, steam is generated, steam is superheated, or any combination thereof, under pressure or vacuum for use externally to itself by the direct application of heat from the combustion of fuels, or from electricity or nuclear energy. This term also includes fired units for heating or vaporizing liquids other than water where these units are separate from processing systems and are complete within themselves.

IV. "Power boiler" means a boiler in which steam or other vapor (to be used externally to itself) is generated at a pressure of more than 15 psig.

V. "High pressure-high temperature water boiler" means a water heating boiler operating at pressures exceeding 160 psig or temperatures exceeding 250° F.

VI. "Low pressure boiler" means a steam boiler operating at pressures not exceeding 15 psig, or a hot water heating boiler operating at pressures not exceeding 160 psig or temperatures not exceeding 250° F.

VII. "Unfired pressure vessel" means a vessel in which the pressure is obtained from an external source or by the application of heat from an indirect source.

VIII. "Certificate inspection" means an inspection, the report of which is used by the commissioner or his authorized representative to decide whether or not a certificate, as provided by section 9 may be issued. This certificate inspection shall be an internal inspection when the construction permits; otherwise, it shall be an inspection as complete as possible.

**157-A:3 Rules and Regulations.** The commissioner shall formulate definitions and promulgate rules and regulations in New Hampshire consistent with the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, with the amendments and interpretations thereto made and approved by the council of the society, to carry out the purposes of this chapter.

**157-A:4 New Boiler and Unfired Pressure Vessel Installation.** No boiler or unfired pressure vessel which does not conform to the rules and regulations formulated by the commissioner governing new construction and installation shall be installed and operated in this state unless the boiler or unfired pressure vessel is of special design or construction, and is not inconsistent with the spirit and safety objectives of such rules and regulations, in which case a special installation and operating permit may at his discretion be granted by the commissioner.

**157-A:5 Existing Boiler and Unfired Pressure Vessel Installation.**

I. The maximum allowable pressure of a boiler carrying the ASME Code symbol or of an unfired pressure vessel carrying the ASME or API-ASME Code symbol shall be determined by the applicable sections of the code under which it was constructed and stamped.

II. The maximum allowable pressure of a boiler or unfired pressure vessel which does not carry the ASME or the API-ASME Code symbol shall be computed in accordance with the inspection code of the National Board of Boiler and Pressure Vessel Inspectors.

III. This chapter shall not be construed as in any way preventing the use, sale, or reinstallation of a boiler or unfired pressure vessel referred to in this section, provided it has been made to conform to the rules and regulations of the commissioner governing existing installations and provided further, it has not been found upon inspection to be in an unsafe condition.

**157-A:6 Exemptions.**

I. This chapter shall not apply to the following boilers and unfired pressure vessels:

(a) Boilers and unfired pressure vessels under federal control.

(b) Unfired pressure vessels used for transportation and storage of compressed gases when constructed in compliance with specifications of

the Interstate Commerce Commission and when charged with gas, marked, maintained, and periodically requalified for use, as required by appropriate regulations of the Interstate Commerce Commission.

(c) Air tanks located on vehicles operating under the rules of other states' authorities and used for carrying passengers or freight.

(d) Air tanks installed on the right of way of railroads and used directly in the operation of trains.

(e) Unfired pressure vessels that do not exceed (1) 5 cubic feet in volume and 250 psig, (2)  $1\frac{1}{2}$  cubic feet in volume or an inside diameter of 6 inches, and 3,000 psig.

(f) Unfired pressure vessels operating at a working pressure not exceeding 15 psig.

(g) Water-containing vessels having a normal working pressure not to exceed 125 psig including those with air, the compression of which serves only as a cushion.

II. The following boilers and unfired pressure vessels shall be exempt from the requirements of sections 8, 9, and 10 of this chapter:

(a) Steam or vapor boilers carrying a pressure of not more than 15 psig, which are located in private residences or apartment houses of less than 6 family units.

(b) Hot water boilers operated at pressures not exceeding 160 psig, or temperatures not exceeding 250° F, which are located in private residences or apartment houses of less than 6 family units.

(c) Unfired pressure vessels containing only water under pressure for domestic supply purposes, including those containing air, the compression of which serves only as a cushion or airlift pumping system, when located in private residences or apartment houses of less than 6 family units.

#### **157-A:7 Inspectors.**

I. A boiler and unfired pressure vessel inspector shall hold a National Board Commission.

II. A license shall be issued by the commissioner to an inspector for a two-year period. A fee of ten dollars shall be charged for the license: A license may be renewed every two years upon payment of a fee of five dollars.

III. The commissioner may revoke any license issued by him for cause shown, after a hearing, if so requested. The holder of the license under question shall receive seven days' written notice informing him of the charges against him and of the time and place of the hearing.

**157-A:8 Inspection of Boilers and Unfired Pressure Vessels.**

I. An inspector shall have free access, during reasonable hours, to any premises in the state where a boiler or unfired pressure vessel is being constructed, or is being installed, or is being operated, for the purpose of ascertaining whether such boiler is being constructed or installed or operated in accordance with the provisions of this chapter.

II. Each boiler and unfired pressure vessel used or proposed to be used within this state, except boilers or unfired pressure vessels exempt under section 6 of this chapter, shall be thoroughly inspected as to their construction, installation, and condition as follows:

(a) Power boilers and high pressure-high temperature water boilers shall receive a certificate inspection annually and shall also be externally inspected annually while under pressure if possible;

(b) Low pressure steam or vapor heating boilers, hot water heating boilers and hot water supply boilers shall receive a certificate inspection biennially;

(c) Unfired pressure vessels subject to internal corrosion shall receive certificate inspection biennially;

(d) Unfired pressure vessels not subject to internal corrosion shall receive a certificate inspection at intervals set by the commissioner, but internal inspection shall not be required of unfired pressure vessels, the contents of which are known to be non-corrosive to the material of which the shell, heads, or fittings are constructed, either from the chemical composition of the contents or from evidence that the contents are adequately treated with a corrosion inhibitor, provided that such vessels are constructed in accordance with the rules and regulations of the commissioner;

(e) A grace period of two months beyond the period specified in subparagraphs (a), (b), (c), and (d) of this paragraph may elapse between certificate inspections;

(f) The commissioner may, at his discretion, permit longer periods between certificate inspection;

(g) Under the provisions of this chapter, the commissioner is responsible to provide for the safety of life, limb, and property of the general public and therefore has jurisdiction over the interpretation and application of the inspection requirements as provided for in the rules and regulations which he has promulgated. Inspection during construction and installation shall certify as to the minimum requirements for safety as defined in the construction codes. Inspection requirements of operating equipment shall be in accordance with generally accepted practice and compatible with the actual service conditions, such as: (1) previous experience, based on records of performance and maintenance; (2) location,

with respect to personnel hazard; (3) quality of operating personnel; (4) provision for related safe operation controls; (5) interrelation with other operations outside the scope of this chapter.

III. The inspections herein required shall be made by a boiler and unfired pressure vessels inspector provided for in this chapter.

IV. If, at the discretion of the inspector, a hydrostatic test or other test be deemed necessary, it shall be made by the owner of the boiler or unfired pressure vessel.

V. All boilers, other than cast iron sectional boilers, and unfired pressure vessels to be installed in this state shall be inspected during construction as required by the applicable rules and regulations of the commissioner by an inspector authorized to inspect boilers and unfired pressure vessels in this state or, if constructed outside this state, by an inspector holding a commission or license as an inspector of boilers and unfired pressure vessels for a state that has substantially standard requirements to be an inspector equal to those of this state.

#### **157-A:9 Inspection Reports and Inspection Certificates.**

I. Subsequent to the inspection of a boiler or unfired pressure vessel, an inspector shall file with the commissioner an inspection report on a form to be prescribed by said commissioner.

II. The owner of a boiler or unfired pressure vessel which has just been inspected shall forward to the commissioner the sum of two dollars as the fee for an inspection certificate. The fee shall apply separately for each such boiler or vessel inspected.

III. An owner whose boiler or unfired pressure vessel is not insured by a carrier shall be prepared to pay an inspector a reasonable charge for his services. Any dispute as to the reasonableness of such charges shall be referred to the commissioner who shall hear the facts from both parties and make a final ruling.

IV. An inspector shall furnish a copy of his inspection report as provided in this paragraph to the owner of a boiler or unfired pressure vessel.

V. An owner shall have ten working days following receipt of the inspection report in which to forward the fee for an inspection certificate to the commissioner. If, at the end of ten days, he has not filed such fee, the commissioner shall mail to the owner a notice of failure to pay said fee and if it is not paid within ten days of said mailing, he shall be automatically prohibited from operating any boiler or unfired pressure vessel for which a fee has not been filed after inspection.

VI. The commissioner shall cause an inspection certificate to be issued to an owner of a boiler or unfired pressure vessel upon receipt of the fee provided by this chapter.

VII. An inspection certificate shall be displayed conspicuously in the vicinity of a boiler or unfired pressure vessel.

**157-A:10 Requirement for Inspection Certificates; Penalty.** It shall be unlawful for any person, firm, partnership, or corporation to operate in this state a boiler or unfired pressure vessel, except such boilers and vessels as are exempted by provision of section 6, without a valid inspection certificate. The operation of a boiler or unfired pressure vessel without such certificate, or at a pressure exceeding that specified in such certificate, shall constitute a misdemeanor on the part of the owner, and he shall be fined not exceeding five hundred dollars or imprisoned not exceeding six months, or both, at the discretion of the court.

**157-A:11 Disposition of Fees.** The commissioner shall deposit all fees collected under this chapter with the state treasurer, to be credited to the department of labor, to be used solely to defray the expenses of operation of this chapter. The state treasurer shall keep such funds in a separate account and said fund shall not lapse. Money may be paid out of the fund on manifests approved by the commissioner.

**157-A:12 Appeals.** Any owner aggrieved by an order or act of an inspector under this chapter may, within fifteen days, appeal from such order or act to the commissioner. Within thirty days thereafter, the commissioner shall issue an appropriate order either approving or disapproving said order or act. A copy of said order by the commissioner shall be given to all interested parties. Within thirty days after any order or act of the commissioner, any person aggrieved thereby may file a petition in the appropriate county superior court. The court shall summarily hear the petition and may make any appropriate order or decree.

**157-A:13 Repeal.** RSA 157 relative to steam boilers is hereby repealed. Any other act or parts of acts inconsistent with any provisions of this chapter are hereby repealed to the extent of such inconsistency.

**236:2 Effective Date.** This act shall take effect January 1, 1968, provided, however, that RSA 157-A:10 as inserted by section 1 of this act shall not take effect until January 1, 1969.

[Approved June 23, 1967.]

[Effective as specified.]

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## CHAPTER 237.

AN ACT RELATIVE TO THE REGULATION AND CONTROL OF THE CONDUCT  
OF BUSINESS WITHIN THE STATE BY CERTAIN NON-RESIDENT COR-  
PORATIONS NOT AUTHORIZED TO CONDUCT THE BUSINESS  
OF INSURANCE WITHIN THIS STATE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**237:1 New Chapter.** Amend RSA by inserting after chapter 406-A (supp) as inserted by 1961, 48:1 the following new chapter:

### **Chapter 406-B**

#### **Unauthorized Insurance**

**406-B:1 Purpose.** The purpose of this chapter is to subject certain persons and insurers to the jurisdiction of the commissioner, of proceedings before the commissioner, and of the courts of this state in suits by or on behalf of the state and insureds or beneficiaries under insurance contracts. The legislature declares that it is a subject of concern that many residents of this state hold policies of insurance issued by persons and insurers not authorized to do business in this state, thus presenting to such residents the often insuperable obstacle of asserting their legal rights under such policies in forums foreign to them under laws and rules of practice with which they are not familiar. The legislature declares that it is also concerned with the protection of residents of this state against acts by persons and insurers not authorized to do an insurance business in this state by the maintenance of fair and honest insurance markets, by protecting authorized persons and insurers, which are subject to strict regulation, from unfair competition by unauthorized persons and insurers and by protecting against the evasion of the insurance regulatory laws of this state. In furtherance of such state interest, the legislature herein provides methods for substituted service of process upon such persons or insurers in any proceeding, suit or action in any court and substitute service of any notice, order, pleading or process upon such persons or insurers in any proceeding before the commissioner to enforce or effect full compliance with the insurance and tax statutes of this state, and declares in so doing it exercises its power to protect residents of this state and to define what constitutes doing an insurance business in this state, and also exercises powers and privileges available to this state by virtue of P. L. 79-15 (1945), (chapter 20, 1st sess., S. 340), 59 Stat. 33, as amended, which declares that the business of insurance and every person engaged therein shall be subject to the laws of the several states.

#### **406-B:2 Insurance Business Defined.**

I. Any of the following acts in this state effected by mail or otherwise is defined to be doing an insurance business in this state, except as otherwise excluded from the operation of this chapter by sub-paragraph II (c) hereof. Unless otherwise indicated, the term "insurer" as used in this chapter includes all corporations, associations, partnerships, and individuals engaged as principals in the business of insurance and also includes inter-insurance exchanges and mutual benefit societies. The word "commissioner" shall mean the insurance commissioner.

(a) The making of or proposing to make, as an insurer, an insurance contract.

(b) The making of or proposing to make, as guarantor or surety, any contract of guaranty or suretyship as a vocation and not merely incidental to any other legitimate business or activity of the guarantor or surety.

(c) The taking or receiving of any application for insurance.

(d) The receiving or collection of any premium, commission, membership fees, assessments, dues or other consideration for any insurance or any part thereof.

(e) The issuance or delivery of contracts of insurance to residents of this state or to persons authorized to do business in this state.

(f) Directly or indirectly acting as an agent for or otherwise representing or aiding on behalf of another any person or insurer in the solicitation, negotiation, procurement, or effectuation of insurance or in the dissemination of information as to coverage or rates, or forwarding of applications, or delivery of policies or contracts, or inspection of risks, a fixing of rates or investigation or adjustment of claims or losses or in the transaction of matters subsequent to effectuation of the contract and arising out of it, or in any other manner representing or assisting a person or insurer in the transaction of insurance with respect to subjects of insurance resident, located or to be performed in this state. The provisions of this section shall not operate to prohibit full-time salaried employees of a corporate insured from acting in the capacity of an insurance manager or buyer in placing insurance in behalf of such employer.

(g) The doing of any kind of insurance business specifically recognized as constituting the doing of an insurance business within the meaning of the statutes relating to insurance.

(h) The doing or proposing to do any insurance business in substance equivalent to any of the foregoing in a manner designed to evade the provisions of the statutes.

(i) Any other transactions of business in this state by an insurer.

II. The provisions of this section do not apply to:

(a) The lawful transaction of surplus lines insurance.

(b) The lawful transaction of reinsurance by insurers.

(c) Transactions in this state involving a policy lawfully solicited, written, and delivered outside of this state covering only subjects of insurance not resident, located, or expressly to be performed in this state at the time of issuance, and which transactions are subsequent to the issuance of such policy.

(d) Transactions involving contracts of insurance independently procured through negotiations occurring entirely outside of this state which are reported in accordance with section 12.



(e) Attorneys acting in the ordinary relation of attorney and client in the adjustment of claims or losses.

(f) Transactions in this state involving group life insurance, group or blanket accident and health insurance and group annuities where the master policy of such groups was lawfully issued and delivered in a state in which the insurer was authorized to do an insurance business.

(g) Any insurance company or underwriter issuing contracts of insurance to industrial insureds, nor to any contract of insurance issued to any one or more industrial insureds. Every industrial insured under a contract procured from an unauthorized insurer shall pay to the commissioner of insurance before March 1 next succeeding the calendar year in which the insurance was so effectuated, continued, or renewed a premium receipts tax of three per cent of the gross premiums charged for such insurance. For the purposes of this section, an "industrial insured" is:

(1) An insured who procures the insurance of any risk or risks other than life and annuity contracts by use of the services of a full time employee acting as an insurance manager or buyer or the services of a regularly and continuously retained qualified insurance consultant; and

(2) An insured whose aggregate annual premiums for insurance on all risks total at least fifteen thousand dollars; and

(3) An insured having at least twenty-five full time employees.

**406-B:3 Unauthorized Insurance Prohibited.** No person or insurer shall directly or indirectly do any of the acts of an insurance business set forth in section 2 except as provided by and in accordance with the specific authorization of statute.

**406-B:4 Service of Process on Commissioner.**

I. Any act of doing an insurance business as set forth in section 2 by any unauthorized person or insurer is equivalent to and shall constitute an irrevocable appointment by such person or insurer, binding upon him, his executor, administrator or personal representative, or successor in interest if a corporation, of the commissioner, his successor or successors in office to be the true and lawful attorney of such person or insurer upon whom may be served all legal process in any action, suit or proceeding in any court arising out of doing an insurance business in this state by such person or insurer, except in an action, suit or proceeding by the commissioner or by the state. Any act of doing an insurance business as set forth in section 2 by any unauthorized person or insurer shall be signification of its agreement that any such legal process so served shall be of the same legal force and validity as personal service of process in this state upon such person or insurer, or upon his executor, administrator or personal representative, or its successor in interest if a corporation.

II. Such service of process shall be made by leaving two copies thereof in the hands or office of the commissioner and paying to him for the use of the state a fee of two dollars for each person or insurer. A certificate by the commissioner showing such service and attached to the original or third copy of such process presented to him for that purpose shall be sufficient evidence thereof. Service upon the commissioner as such attorney shall be service upon the principal.

III. The commissioner shall forthwith mail one copy of such process to the defendant at its last known principal place of business and shall keep a record of all process so served upon him which shall show the day and hour of service. Such service of process is sufficient, provided notice of such service and a copy of the process are sent within ten days thereafter by registered mail by plaintiff or plaintiff's attorney to the defendant at the last known principal place of business of the defendant and the defendant's receipt, or receipt issued by the post office with which the letter is registered, showing the name of the sender of the letter and the name and address of the person or insurer to whom the letter is addressed, and the affidavit of the plaintiff or plaintiff's attorney showing compliance herewith are filed with the clerk of the court in which such action is pending on or before the date the defendant is required to appear, or within such further time as the court may allow.

IV. Service of process in any such action, suit or proceeding shall, in addition to the manner provided in paragraphs II and III, be valid if served upon any person within this state who on behalf of such unauthorized person or insurer is doing any act of an insurance business as set forth in section 2 and if a copy of such process is sent within ten days thereafter by registered mail by plaintiff or plaintiff's attorney to the defendant at the last known principal place of business of the defendant and the defendant's receipt, or receipt issued by the post office with which the letter is registered, showing the name of the sender of the letter and the name and address of the person or insurer to whom the letter is addressed and the affidavit of the plaintiff or plaintiff's attorney showing compliance herewith are filed with the clerk of the court in which such action is pending on or before the date the defendant is required to appear, or within such further time as the court may allow.

V. No plaintiff or complainant shall be entitled to a judgment by default in any action, suit or proceeding in which the process is served under this section until the expiration of forty-five days from the date of filing of the affidavit of compliance.

VI. Nothing contained in this section shall limit or abridge the right to serve any process, notice or demand upon any person or insurer in any other manner now or hereafter permitted by law.

**406-B:5 Service of Process on Secretary of State.**

I. Any act of doing an insurance business as set forth in section 2 by any unauthorized person or insurer is equivalent to and shall constitute irrevocable appointment by such person or insurer, binding upon him, his executor, administrator or personal representative, or successor in interest if a corporation, or the secretary of state, his successor or successors in office to be the true and lawful attorney of such person or insurer upon whom may be served all legal process in any action, suit or proceeding in any court by the commissioner or by the state and upon whom may be served any notice, order, pleading or process in any proceeding before the commissioner and which arises out of doing an insurance business in this state by such person or insurer. Any act of doing an insurance business as set forth in section 2 by any unauthorized person or insurer shall be signification of its agreement that any such legal process in such court action, suit or proceeding and any such notice, order, pleading or process in such administrative proceeding before the commissioner so served shall be of the same legal force and validity as personal service of process in this state upon such person or insurer, or upon his executor, administrator or personal representative, or its successor in interest if a corporation.

II. Such service of process in such action, suit or proceeding in any court or such notice, order, pleading or process in such administrative proceeding authorized by paragraph I shall be made by leaving two copies thereof in the hands or office of the secretary of state. A certificate by the secretary of state showing such service and attached to the original or third copy of such process presented to him for that purpose shall be sufficient evidence thereof. Service upon the secretary of state as such attorney shall be service upon the principal.

III. The secretary of state shall forthwith mail one copy of such court process or such notice, order pleading or process in proceedings before the commissioner to the defendant in such court proceeding or to whom the notice, order, pleading or process in such administrative proceeding is addressed or directed at its last known principal place of business and shall keep a record of all process so served on him which shall show the day and hour of service. Such service is sufficient, provided notice of such service and a copy of the court process or the notice, order, pleading or process in such administrative proceeding are sent within ten days thereafter by registered mail by the plaintiff or the plaintiff's attorney in the court proceeding or by the commissioner in the administrative proceeding to the defendant in the court proceeding or by whom the notice, order, pleading or process in such administrative proceeding is addressed or directed at its last known principal place of business of the defendant in the court or administrative proceeding, and the defendant's receipt, or receipt issued by the post office with

which the letter is registered, showing the name of the sender of the letter and the name and address of the person or insurer to whom the letter is addressed, and the affidavit of the plaintiff or plaintiff's attorney in court proceeding or of the commissioner in administrative proceeding, showing compliance herewith are filed with the clerk of the court in which such action, suit or proceeding is pending or with the commissioner in administrative proceedings, on or before the date the defendant in the court or administrative proceeding is required to appear or respond thereto, or within such further time as the court or commissioner may allow.

IV. No plaintiff or complainant shall be entitled to a judgment or determination by default in any court or administrative proceeding in which court process or notice, order, pleading, or process in proceedings before the commissioner is served under this section until the expiration of forty-five days from the date of filing of the affidavit of compliance.

V. Nothing contained in this section shall limit or abridge the right to serve any process, notice, order, pleading or demand upon any person or insurer in any other manner now or hereafter permitted by law.

VI. The attorney general upon request of the commissioner is authorized to proceed in the courts of this or any other state or in any federal court or agency to enforce an order or decision in any court proceeding or in any administrative proceeding before the commissioner.

#### **406-B:6 Unauthorized Person or Insurer Defense of Action.**

I. Before any unauthorized person or insurer files or causes to be filed any pleading in any court action, suit or proceeding or in any notice, order, pleading, or process in such administrative proceeding before the commissioner instituted against such person or insurer, by service made as provided in sections 4 and 5, such person or insurer shall either:

(a) Deposit with the clerk of the court in which such action, suit or proceeding is pending, or with the commissioner in administrative proceedings before the commissioner, cash or securities or bond with good and sufficient sureties to be approved by the court, or the commissioner, in any amount to be fixed by the court or the commissioner sufficient to secure the payment of any final judgment which may be rendered in such court proceeding or in such administrative proceeding before the commissioner, provided that the court or the commissioner in administrative proceedings before the commissioner may in its or his discretion make an order dispensing with such deposit or bond where the insurer makes a showing satisfactory to such court or the commissioner that it maintains in a state of the United States funds or securities, in trust or otherwise, sufficient and available to satisfy any final judgment which

may be entered in such court action, suit or proceeding or in such administrative proceeding before the commissioner; or

(b) Procure proper authorization to do an insurance business in this state.

II. The court in any action, suit or proceeding in which service has been made as provided in section 4 or the commissioner in any administrative proceeding before the commissioner in which service is made as provided in section 5 may, in his or its discretion, order such postponement as may be necessary to afford the defendant reasonable opportunity to comply with paragraph I and to defend such court action or administrative proceeding.

III. Nothing in paragraph I is to be construed to prevent an unauthorized person or insurer from filing a motion to quash a writ or to set aside service thereof made as provided in section 4 or 5 on the ground that such unauthorized person or insurer has not done any of the acts enumerated in section 2 or that the person on whom service was made pursuant to section 4 was not doing any of the acts therein enumerated.

**406-B:7 Attorney Fees.** In an action against an unauthorized person or insurer upon a contract of insurance issued or delivered in this state to a resident thereof or to a corporation authorized to do business therein, if the person or insurer has failed for thirty days after demand prior to the commencement of the action to make payment in accordance with the terms of the contract, and it appears to the court that such refusal was vexatious and without reasonable cause, the court may allow to the plaintiff a reasonable attorney fee and include such fee in any judgment that may be rendered in such action. Failure of the person or insurer to defend any such action shall be deemed prima facie evidence that its failure to make payment was vexatious and without reasonable cause.

**406-B:8 Validity of Insurance Contracts.** Except for lawfully procured surplus lines insurance and contracts of insurance independently procured, through negotiations occurring entirely outside of this state which are reported in accordance with section 12, any contract of insurance effective in this state and entered into by an unauthorized insurer is unenforceable by such insurer. In event of failure of any such unauthorized insurer to pay any claim or loss within the provisions of such insurance contract, any person who assisted or in any manner aided directly or indirectly in the procurement of such insurance contract shall be liable to the insured for the full amount thereof pursuant to the provisions of such insurance contract.

**406-B:9 Investigation and Disclosure of Insurance Contracts.**

I. Whenever the commissioner has reason to believe that insurance has been effectuated by or for any person in this state with an un-

authorized insurer, the commissioner shall in writing order such person to produce for examination all insurance contracts and other documents evidencing insurance with both authorized and unauthorized insurers and to disclose to the commissioner the amount of insurance, name and address of each insurer, gross amount of premium paid or to be paid and the name and address of the person or persons assisting or aiding in the solicitation, negotiation or effectuation of such insurance.

II. Every person who, for thirty days after such written order pursuant to paragraph I, neglects to comply with the requirements of such order or who willfully makes a disclosure that is untrue, deceptive, or misleading shall forfeit fifty dollars and an additional fifty dollars for each day of neglect after expiration of said thirty days.

#### **406-B:10 Reporting of Unauthorized Insurance.**

I. Every person investigating or adjusting any loss or claim on a subject of insurance in this state shall immediately report to the commissioner every insurance policy or contract which has been entered into by any insurer not authorized to transact such insurance in this state.

II. This section does not apply to transactions in this state involving a policy lawfully solicited, written, and delivered outside of this state covering only subjects of insurance not resident, located or expressly to be performed in this state at the time of issuance, and which transactions are subsequent to the issuance of such policy.

#### **406-B:11 Unauthorized Insurance Premium Tax.**

I. Except as to premiums on lawfully procured surplus lines insurance and premiums on unauthorized insurance procured by industrial insureds every unauthorized insurer shall pay to the commissioner before March 1 next succeeding the calendar year in which the insurance was so effectuated, a premium receipts tax of three per cent of gross premiums charged for such insurance other than marine insurance and a premium receipts tax of one-half of one per cent of gross premiums charged for such marine insurance on subjects resident, located or to be performed in this state. Such insurance on subjects resident, located or to be performed in this state procured through negotiations or an application, in whole or in part occurring or made within or from within or outside of this state, or for which premiums in whole or in part are remitted directly or indirectly from within or outside of this state, shall be deemed to be insurance procured in this state. The term "premium" includes all premiums, membership fees, assessments, dues and any other consideration for insurance. Such tax shall be in lieu of all taxes and fire department dues. If the tax prescribed by this section is not paid within the time stated, the tax shall be increased by a penalty of twenty-five per cent and by the amount of an additional penalty computed at the

rate of one per cent per month or any part thereof from the date such payment was due to the date paid.

II. If a policy covers risks or exposures only partially in this state, the tax payable shall be computed on the portions of the premium which are properly allocable to the risks or exposures located in this state. In determining the amount of premiums taxable in this state, all premiums written, procured, or received in this state and all premiums on policies negotiated in this state shall be deemed written on property or risks located or resident in this state, except such premiums as are properly allocated or apportioned and reported as taxable premiums of any other state or states.

#### **406-B:12 Independently Procured Insurance.**

I. Every insured who procures or causes to be procured insurance with any unauthorized insurer, or any insured or self-insurer who so procures excess loss, catastrophe or other insurance, upon a subject of insurance resident, located or to be performed within this state, other than insurance procured through a surplus lines agent pursuant to the surplus lines law of this state shall within sixty days after the date such insurance was so procured, file a report of the same with the commissioner in writing and upon forms designated by the commissioner and furnished to such an insured upon request. The report shall show the name and address of the insured or insureds, name and address of the insurer, the subject of the insurance, a general description of the coverage, the amount of premium currently charged therefor, and such additional pertinent information as is reasonably requested by the commissioner.

II. Any insurance in an unauthorized insurer of a subject of insurance resident, located or to be performed within this state procured through negotiations or an application, in whole or in part occurring or made within or from within or outside of this state, or for which premiums in whole or in part are remitted directly or indirectly from within or outside of this state, shall be deemed to be insurance procured in this state within the intent of paragraph I.

#### **406-B:13 Penalty for Unauthorized Insurance.**

I. Any unauthorized insurer who does any unauthorized act of an insurance business as set forth in section 2 shall be fined not more than five thousand dollars.

II. In addition to any other penalty provided for herein or otherwise provided by law, any person or insurer violating this chapter shall be fined five hundred dollars for the first offense and an additional sum of five hundred dollars for each month during which any such person or insurer continues such violation.

**406-B:14 Exception.** This chapter shall not apply to any life insurance or annuity company organized and operated, without profit to any private shareholder or individual, exclusively for the purpose of aiding educational or scientific institutions organized and operated without profit to any private shareholder or individual, by issuing insurance and annuity contracts direct from the home office of the company and without agents or representatives in this state, only to or for the benefit of such institutions and individuals engaged in the service of such institutions; nor shall this chapter apply to any insurance or annuity contracts issued by any such life insurance or annuity company.

**406-B:15 Exemption from Unauthorized Insurance Laws.** The provisions of this chapter, other than the provisions of sections 2, 4 and 5, do not apply to ocean marine insurance.

**237:2 Repeal.** RSA 406, unauthorized insurers process act, is hereby repealed.

**237:3 Repeal.** RSA 405:20 and 21, relative to unlicensed companies, are hereby repealed.

**237:4 Unlicensed Companies.** Amend RSA 405:22 by striking out the words and figures "sections 18, 20, or 21" and inserting in place thereof the words and figure (section 18) so that said section as amended shall read as follows: **405:22 Penalty.** Any person or corporation, other than a purchaser of a policy or contract of insurance or suretyship, violating or failing to comply with any of the provisions of section 18 shall be fined not more than five hundred dollars or imprisoned not more than six months or both. If a purchaser of a policy or contract of insurance or suretyship shall wilfully violate or fail to comply with any of said provisions he shall be subject to the penalties prescribed herein.

**237:5 Records.** Amend RSA 405:23 by striking out the words and figures "sections 18, 20, or 21" and inserting in place thereof the words and figure (section 18) so that said section as amended shall read as follows: **405:23 Examination of Records.** The insurance commissioner, or his duly authorized agent or agents, shall at all reasonable times have access to the books and records of any person residing, or any corporation doing business, within this state, for the purpose of ascertaining whether any of the provisions of section 18 have been violated, and upon application of the attorney-general, at the request of said commissioner, the superior court shall have jurisdiction to issue writs of mandamus commanding any person or corporation so to exhibit his or its books or records for such examination. No person shall be excused from exhibiting his books or records for the reason that he may thereby incriminate himself; but no such books or records so exhibited shall, in any prosecution, be used as evidence, either directly or indirectly, against him nor shall he be thereafter prosecuted for any offense disclosed by such exhibition of his books or records.



**237:6 Countersignature.** Amend RSA 405:18 (supp) as amended by 1967, 29:1 by striking out said section and inserting in place thereof the following: **405:18 Insuring Through Agents.** Foreign insurance or surety companies, although authorized to transact business within this state, shall only make, write, place, or cause to be made, written, or placed, policies or contracts of insurance or suretyship which are to be effective within this state, through agents who are residents of this state and who are regularly commissioned and licensed to transact business here. Provided, however, that the provisions of this section shall not apply to bid bonds issued in connection with any public or private contract and said provisions do not apply to ocean marine insurance.

**237:7 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 23, 1967.]

[Effective date August 22, 1967.]

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## CHAPTER 238.

### AN ACT ADOPTING THE REVISED UNIFORM FEDERAL TAX LIEN REGISTRATION ACT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**238:1 Federal Tax Lien Registration.** Amend RSA by inserting after chapter 454 the following new chapter:

#### Chapter 454-A

#### Revised Uniform Federal Tax Lien Registration Act

##### 454-A:1 Federal Tax Lien; Place of Filing.

I. Notices of liens upon real property for taxes payable to the United States, and certificates and notices affecting the liens shall be filed in the office of the registry of deeds of the county in which the real property subject to a federal tax lien is situated.

II. Notices of liens upon personal property, whether tangible or intangible, for taxes payable to the United States and certificates and notices affecting the liens shall be filed as follows:

(a) if the person against whose interest the tax lien applies is a corporation or a partnership whose principal executive office is in this state, as these entities are defined in the internal revenue laws of the United States, in the office of the secretary of state;

(b) in all other cases in the office of the clerk of the town or city where the taxpayer resides at the time of filing of the notice of lien.

**454-A:2 Execution of Notices and Certificates.** Certification by the Secretary of the Treasury of the United States or his delegate of notices of liens, certificates, or other notices affecting tax liens entitles them to be filed and no other attestation, certification, or acknowledgement is necessary.

**454-A:3 Duties of Filing Officer.**

I. If a notice of federal tax lien, a refiling of a notice of tax lien, or a notice of revocation of any certificate described in paragraph II is presented to the filing officer and

(a) he is the secretary of state, he shall cause the notice to be marked, held and indexed in accordance with the provisions of subsection (4) of RSA 382-A:9-403 of the Uniform Commercial Code as if the notice were a financing statement within the meaning of that code; or

(b) he is any other officer described in section 1 of this chapter, he shall endorse thereon his identification and the date and time of receipt and forthwith file it alphabetically or enter it in an alphabetical index showing the name and address of the person named in the notice, the date and time of receipt, the serial number of the district director and the total unpaid balance of the assessment appearing on the notice of lien.

II. If a certificate of release, non-attachment, discharge or subordination of any tax lien is presented to the secretary of state for filing he shall

(a) cause a certificate of release of non-attachment to be marked, held and indexed as if the certificate were a termination statement within the meaning of the Uniform Commercial Code, except that the notice of lien to which the certificate relates shall not be removed from the files, and

(b) cause a certificate of discharge or subordination to be held, marked and indexed as if the certificate were a release of collateral within the meaning of the Uniform Commercial Code.

III. If a refile notice of federal tax lien referred to in paragraph I or any of the certificates or notices referred to in paragraph II is presented for filing with any other filing officer specified in section 1, he shall permanently attach the refiled notice or the certificate to the original notice of lien and shall enter the refiled notice or the certificate with the date of filing in any alphabetical federal tax lien index on the line where the original notice of lien is entered.

IV. Upon request of any person, the filing officer shall issue his certificate showing whether there is on file, on the date and hour stated

therein, any notice of federal tax lien or certificate or notice affecting the lien, filed on or after the effective date of this chapter, naming a particular person, and if a notice or certificate is on file, giving the date and hour of filing of each notice or certificate. The fee for a certificate is two dollars. Upon request the filing officer shall furnish a copy of any notice of federal tax lien or notice or certificate affecting a federal tax lien for a fee of one dollar per page.

**454-A:4 Fees.** The fee for filing and indexing each notice of lien or certificate or notice affecting the tax lien is:

I. For a tax lien on real estate, three dollars;

II. For a tax lien on tangible and intangible personal property, two dollars;

III. For a certificate of discharge or subordination, two dollars;

IV. For all other notices, including a certificate of release or non-attachment, one dollar. The officer shall bill the district directors of internal revenue on a monthly basis for fees for documents filed by them. Notwithstanding any other statutory provisions for fees, the fees established by this chapter shall prevail.

**454-A:5 Tax Liens and Notices Filed Before Effective Date of this Act.** Filing officers with whom notices of federal tax liens, certificates and notices affecting such liens have been filed on or before the effective date of this chapter shall, after that date, continue to maintain a file labeled "federal tax lien notices filed prior to (said effective date)" containing notices and certificates filed in numerical order of receipt. If notice of lien was filed on or before the effective date of this chapter any certificate or notice affecting the lien shall be filed in the same office.

**454-A:6 Uniformity of Interpretation.** This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

**454-A:7 Short Title.** This chapter may be cited as the Uniform Federal Tax Lien Registration Act.

**238:2 Repeal.** RSA 454 (supp) as amended by 1963, 56:1 and 1965, 377:5, relative to liens for internal revenue taxes, and paragraph IX of RSA 478:17-b (supp) as inserted by 1965, 292:2, relative to fees in Grafton county, and paragraph VIII of RSA 478:17-a (supp) as inserted by 1967, 67:1 relative to fees in Rockingham county, are hereby repealed.

**238:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 23, 1967.]

[Effective date July 1, 1967.]

**CHAPTER 239.****AN ACT AUTHORIZING NON-PROFIT VOLUNTARY CORPORATIONS TO PROVIDE  
LEGAL SERVICES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**239:1 Legal Aid.** Amend RSA 292 by inserting after section 1 as amended by 1965, 74:1 and 1967, 102:1 the following new section: **292:1-a Legal Services.** Five or more persons of lawful age may associate together by articles of agreement to form a corporation, without a capital stock, for the purpose of providing professional legal services to the poor; provided, however, that no such corporation shall commence business until its articles of agreement and by-laws, and such other information as may be required, have been submitted to the supreme court for approval and such court has authorized it to commence business upon finding that it is a responsible organization. Such authorization may, after hearing, be revoked or suspended by the court for just cause. The actual practice of law by such corporation shall be conducted solely by members of the New Hampshire bar in good standing, and the fact of incorporation shall not in any way be deemed to immunize any attorney employed by the corporation from personal responsibility and liability to the clients whom he serves. The provisions of RSA 311:11 shall not apply to corporations organized under this section.

**239:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 23, 1967.]

[Effective Date August 22, 1967.]

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**CHAPTER 240.****AN ACT AMENDING THE STATUTE OF LIMITATIONS IN REGARD TO  
CERTAIN CRIMINAL OFFENSES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**240:1 Requirement of Prosecution Within One Year Extended.** Amend RSA 603:1 by striking out said section and inserting in place thereof the following: **603:1 Periods of Limitation.** Indictments and prosecutions for offenses punishable by fine not exceeding five hundred dollars, or by imprisonment not exceeding one year, shall be found or begun within one year, except prosecutions under the provisions of RSA 282, and all other prosecutions, informations and indictments, in-

cluding prosecutions under the provisions of RSA 282, except for treason, murder, rape, arson, robbery or burglary, shall be commenced, filed or found within six years after the offense is committed; but the time during which the party charged was not usually and publicly resident within this state shall not be reckoned as part of the time aforesaid.

**240:2 Effective Date.** This act shall take effect sixty days after the passage.

[Approved June 23, 1967.]

[Effective Date August 22, 1967.]

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## CHAPTER 241.

### AN ACT DIRECTING THE REOPENING OF THE AUTUMN STREET RAILROAD CROSSING IN ROCHESTER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**241:1 Reopening of Railroad Crossing.** The public utilities commission, the Boston & Maine Railroad and the city of Rochester are hereby directed to reopen the Boston & Maine Railroad crossing at Autumn Street in Rochester which was closed April 29, 1960 by order number 7470 of the commission. Any right of way over land owned by the city of Rochester needed for access to or exit from this crossing shall be conveyed or dedicated to such use by the city without any payment therefor to the city.

**241:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 26, 1967.]

[Effective date August 25, 1967.]

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## CHAPTER 242.

### AN ACT PROVIDING FOR THE SALARY FOR THE SHERIFF OF ROCKINGHAM COUNTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**242:1 Salary of Rockingham County Sheriff.** Amend paragraph II of RSA 104:29 (supp) as amended by 1955, 172:1, 247:1, 1957, 156:1, 309:4, 1961, 175:1, 1963, 129:1, 1965, 162:1, 190:1 and 263:1 by striking

out the first sentence of said paragraph and inserting in place thereof the following sentence (In Rockingham the annual salary of the sheriff shall be ten thousand seven hundred and fifty dollars) so that said paragraph as amended shall read as follows: **II.** In Rockingham the annual salary of the sheriff shall be ten thousand seven hundred and fifty dollars. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

**242:2 Effective Date.** This act shall take effect January 1, 1968.

[Approved June 26, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 243.

AN ACT PROVIDING FOR THE ELECTION OF TOWN CLERK, TOWN TREASURER  
AND TAX COLLECTOR FOR THREE-YEAR TERMS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**243:1 Town Clerk.** Amend RSA 41 by inserting after section 16 the following new section: **41:16-a Three Year Term.** **I.** At any annual town meeting under an article in the warrant placed there by petition, the voters may vote, by ballot, to determine if they are in favor of having a three-year term for the town clerk. If a majority of those voting on the question vote in favor of a three-year term, at the next annual meeting after the vote of approval, the town shall choose, by ballot, a town clerk for the three-year term. The duties and bond of the town clerk for a three-year term are the same as for a one-year term under section 16 of this chapter.

**II.** After a three-year term for town clerk has been established, at any annual town meeting held the year before the end of the three-year term, under an article in the warrant placed there by petition, the voters

may vote, by ballot, to determine if they are in favor of continuing to have a three-year term for the town clerk. If a majority of those voting on the question do not vote in favor of continuing the three-year term, at the next annual town meeting the voters shall choose a clerk for a one-year term as provided under section 16 of this chapter.

**243:2 Town Treasurer.** Amend RSA 41 by inserting after section 26 the following new section: **41:26-a Three-Year Term. I.** At any annual town meeting under an article in the warrant placed there by petition, the voters may vote, by ballot, to determine if they are in favor of having a three-year term for the town treasurer. If a majority of those voting on the question vote in favor of a three-year term, at the next annual meeting after the vote of approval, the town shall choose, by ballot, a town treasurer for the three-year term.

**II.** After a three-year term for town treasurer has been established, at any annual town meeting held the year before the end of the three-year term, under an article in the warrant placed there by petition, the voters may vote, by ballot, to determine if they are in favor of continuing to have a three-year term for the town treasurer. If a majority of those voting on the question do not vote in favor of continuing the three-year term, at the next annual town meeting, the voters shall choose a treasurer for a one-year term as provided under section 26 of this chapter.

**243:3 Tax Collector.** Amend RSA 41 by inserting after section 2 (supp) as amended by 1957, 198:1 the following new section: **41:2-a Tax Collector. I.** At any annual town meeting under an article in the warrant placed there by petition, the voters may vote, by ballot, to determine if they are in favor of having a three-year term for a tax collector. If a majority of those voting on the question vote in favor of a three-year term, at the next annual meeting after the vote of approval, the town shall choose, by ballot, a tax collector for the three-year term.

**II.** After a three-year term for tax collector has been established, at any annual town meeting held the year before the end of the three-year term, under an article in the warrant placed there by petition, the voters may vote, by ballot, to determine if they are in favor of continuing to have a three-year term for the tax collector. If a majority of those voting on the question do not vote in favor of continuing the three-year term, at the next annual town meeting, the voters shall choose a tax collector for a one-year term as provided by section 2 of this chapter.

**243:4 Effective Date.** This act shall take effect January 1, 1968.

[Approved June 26, 1967.]

[Effective date January 1, 1968.]

**CHAPTER 244.**

AN ACT RELATIVE TO FEES FOR JUSTICES OF THE PEACE AND OTHERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**244:1 Fee for Administering and Certifying Oaths Raised.** Amend RSA 501-A:1 (supp) as inserted by 1957, 244:1 by striking out in line three the words "twenty-five cents" and inserting in place thereof the words (one dollar) so that said section as amended shall read as follows: **501-A:1 Fees for Justices of the Peace.** For administering and certifying oaths, except the oaths of office of town officers a justice of the peace shall receive one dollar.

**244:2 Fee for Solemnizing Marriage Raised.** Amend RSA 457:33 by striking out in line two the word "one" and inserting in place thereof the word (five) so that said section as amended shall read as follows: **457:33 Fee for Solemnizing.** The persons joined in marriage by a minister or justice shall pay the minister or justice five dollars.

**244:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 26, 1967.]

[Effective date August 25, 1967.]

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**CHAPTER 245.**

AN ACT RELATIVE TO NEWSPAPER PUBLICATION OF BANK REPORTS BY  
MEMBERS OF THE FEDERAL RESERVE SYSTEM.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**245:1 Newspaper Publication.** Amend RSA 386 by inserting after section 36-a (supp) as inserted by 1967, 101:1 the following new section: **386:36-b — Exception.** The requirements of newspaper publication in sections 35 and 36 of this chapter shall not apply to a state chartered banking institution while it is a member in the federal reserve system and as long as it regularly publishes statements of conditions as required of such members. The member bank shall transmit to the commissioner a copy of the newspaper containing the first published statement made during a calendar year in accordance with the federal reserve regulations.

**245:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 26, 1967.]

[Effective date August 25, 1967.]



**CHAPTER 246.****AN ACT PROVIDING FOR RECOMPILATION OF VOLUME 4 OF THE REVISED  
STATUTES ANNOTATED.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**246:1 Revised Statutes Annotated.** The secretary of state, with the approval of the attorney general, is authorized and directed to contract with a competent and qualified law book publisher in the name of the state for the recompilation of volume 4 of Revised Statutes Annotated into two volumes. The contract for recompilation shall provide for the editorial preparation, including execution and integration of new acts, of acts specifically or generally amending existing law, and of notes and annotations, publication, and distribution of the two volumes, which shall be designated 4 and 4-A. The reprinting of the volumes shall follow the general scheme for the original printing of Revised Statutes Annotated. The provisions of RSA 8, relative to competitive bidding for state purchases, shall not apply to the contract authorized under this act.

**246:2 Sales.** The secretary of state, with the approval of the attorney general, is authorized to contract with the publisher of recompiled volume 4 of the Revised Statutes Annotated for the sale of replacement volumes 4 and 4-A to the public at a price to be determined by the secretary of state.

**246:3 Distribution.** The secretary of state is authorized to distribute official bound copies of replacement volumes 4 and 4-A of the Revised Statutes Annotated free of charge in the following manner: One copy to each of the following officers and bodies: The governor, the president of the senate, the speaker of the house, the members of the New Hampshire Revision Commission, each justice and clerk of the supreme and superior courts, each court of probate, the clerk of the supreme court of the United States, each judge of the circuit court of the United States for this district, the district court of the United States for this district, the United States department of justice, the Library of Congress, the New Hampshire Historical Society, the secretary of state, the state treasurer, the comptroller, a sufficient number of copies to the state library for its use and for distribution to each state or territorial library of the United States on an exchange basis, fourteen copies to the office of the director of legislative services, and fourteen copies to the office of the attorney general. Any state or territory making a charge to this state for copies of its laws shall in a like manner be required to pay to the secretary of state the regular price for copies of replacement volumes 4 and 4-A of the Revised Statutes Annotated. The secretary of state may distribute additional copies of original and replacement volumes of the Revised Statutes Annotated to state government departments, offices and agencies for official use, subject to the approval of the governor and council.

**246:4 Appropriation.** The sum of sixteen thousand nine hundred dollars is hereby appropriated for the purposes of this act. The governor is authorized to draw his warrant for the sum hereby appropriated, or so much thereof as may be necessary for the purposes hereof, out of any money in the treasury not otherwise appropriated.

**246:5 Takes Effect.** This act shall take effect sixty days after its passage.

[Approved June 26, 1967.]

[Effective date August 25, 1967.]

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## CHAPTER 247.

### AN ACT TO PROVIDE FOR CUMULATIVE POCKET SUPPLEMENTS FOR REVISED STATUTES ANNOTATED.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**247:1 Revised Statutes Annotated.** The secretary of state, with the approval of the attorney general, is authorized and directed to contract with a competent and qualified law book publisher in the name of the state for the editorial preparation, publication, and distribution of cumulative pocket supplements to the Revised Statutes Annotated for the statutes of a public and general nature passed at the 1969 biennial assembly of the general court and any special sessions prior to the 1969 session. The supplements shall follow the general scheme used for the pocket supplements for the 1955, 1957, 1959, 1961, 1963, 1965 and 1967 sessions of the general court, in accordance with the contract entered into by the secretary of state under the authority of 1955, 278:1. The provisions of RSA 8 relative to competitive bidding for state purchases do not apply to the contract authorized under this act.

**247:2 Appropriation.** The sum of twelve thousand dollars is hereby appropriated for the purposes of this act relative to the supplements for the 1969 session of the general court. The governor is authorized to draw his warrant for the sum, or as much thereof as is necessary, out of any money in the treasury not otherwise appropriated.

**247:3 Effective Date.** The provisions of this act shall take effect January 1, 1968.

[Approved June 26, 1967.]

[Effective date January 1, 1968.]

**CHAPTER 248.**

AN ACT MAKING APPROPRIATION FOR BINDING CERTAIN COPIES OF THE  
COMMERCIAL CODE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**248:1 Appropriation.** The secretary of state is directed to cause to be bound seven hundred copies of RSA volume 3-A, the commercial code. The sum of twelve hundred dollars is hereby appropriated for the purposes of this act and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

**248:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 26, 1967.]

[Effective date August 25, 1967.]

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**CHAPTER 249.**

AN ACT RELATIVE TO STATE EMPLOYEES GROUP INSURANCE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**249:1 State Employees Group Insurance.** Amend RSA 101-A as inserted by 1963, 327:1 by inserting after section 8 the following new section: **101-A:8-a Leave of Absence.** Employees who are participating in the permanent group life insurance program, and who go on an approved leave of absence, may have their permanent group life insurance program continued by the payment by the state of the term portion of the life insurance premium during such leave of absence up to a maximum period of one year.

**249:2 Examinations.** Amend RSA 101-A:10 as inserted by 1963, 327:1 by striking out said section and inserting in place thereof the following: **101-A:10 Examinations.** There shall be no physical examination or health statement required for coverage under either the permanent group life insurance or group hospitalization, hospital medical care, surgical care and other medical and surgical benefit programs, provided, however, that if a state employee otherwise eligible fails to apply for any such insurance coverage within the time required by the insurance contract, the insurer may require that the employee submit satisfactory evidence of insurability as a condition for becoming insured.

**249:3 Effective Date.** This act shall take effect upon its passage.

[Approved June 26, 1967.]

[Effective date June 26, 1967.]

**CHAPTER 250.****AN ACT RELATIVE TO SALARY FOR THE REGISTER OF DEEDS OF CHESHIRE COUNTY.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**250:1 Register of Deeds.** Amend RSA 478 by inserting after section 31 (supp) as inserted by 1967, 151:2 the following new subdivision:

**478:32 Salary.** The register of deeds for Cheshire county shall be paid an annual salary of nine thousand dollars for the period from January 1, 1968, to January 1, 1969. In January 1969, and biennially thereafter in January the executive committee of the county delegation for Cheshire county, with the approval of said delegation, shall determine the annual salary to be paid to said register for the biennium. Said salary shall not be less than nine thousand dollars. The salary of the register shall be paid in equal monthly installments.

**478:33 Receipts.** The said register of deeds shall pay over monthly to the county treasurer all fees received by him as such register.

**478:34 Assistants.** The said register of deeds is authorized to employ such assistants as may be required; and to fix their salaries, subject to the approval of the executive committee of the county convention. The salaries of the assistants and any other expenses of the office of the register of deeds shall be paid by the county.

Amend RSA 478 by inserting after section 17-c (supp) as inserted by 1967, 151:1 the following new section: **478:17-d Fees.** The register of deeds for Cheshire county shall charge the following fees for documents recorded in, or services rendered by, his office:

I. For recording deeds, mortgages, leases, agreements, attachments, and like documents, three dollars for the first recorded page, plus two dollars for each additional recorded page. However, if the instrument contains the names of more than one grantor and one grantee an additional fee of fifty cents shall be charged for indexing the names of each additional grantor or grantee.

II. For recording discharge of real estate attachment, or marginal assignment, release or discharge of real estate mortgage, two dollars.

III. For each transfer furnished pursuant to section 14 of this chapter, fifty cents.

IV. For recording plans, five dollars for the first two hundred square inches thereof with one dollar for each additional one hundred square inches or part thereof.

V. For copying any document, the price to be established and posted by the register of deeds.

**250:2 Application of Statutes.** The provisions of RSA 478:17, relative to fees for register of deeds shall not apply to the register of deeds for Cheshire county.

**250:3 Effective Date.** This act shall take effect January 1, 1968.  
[Approved June 26, 1967.]  
[Effective date January 1, 1968.]

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## CHAPTER 251.

### AN ACT PERMITTING FREEDOM OF ACCESS TO PUBLIC RECORDS AND PROCEEDINGS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**251:1 New Chapter.** Amend RSA by inserting after chapter 91 the following new chapter:

#### Chapter 91-A

#### Access to Public Records

**91-A:1 Definition of Public Proceedings.** The term "public proceedings" as used in this chapter means the transactions of any functions affecting any or all citizens of the state by any board or commission of any state agency or authority, and all meetings of any board, commission, agency, or authority, of any county, town, municipal corporation, school district, or other political subdivision.

**91-A:2 Meetings Open to the Public.** All public proceedings are open to the public, and all persons are permitted to attend any meetings of these bodies or agencies, and minutes of such meetings shall be promptly recorded and open to public inspection, except as provided by section 5 of this chapter. If the charter of any city or guide lines set down by the appointing authority requires broader public access to official meetings and records than herein described, such charter provisions or guide lines shall take precedence over the requirements of this chapter.

**91-A:3 Executive Sessions.** I. Nothing contained in this chapter shall be construed to prevent these bodies or agencies from holding executive sessions but any decisions made during any executive session must be recorded and made available for public inspection promptly, and no ordinances, orders, rules, resolutions, regulations, contracts, appointments or other official actions shall be finally approved in executive session. The conditions of this section do not apply to executive sessions of the committees of the general court.

II. Exceptions. A body, or agency, may exclude the public when it is considering or acting upon the following matters:

(a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigating of any charges against him, unless the employee affected requests an open meeting.

(b) The hiring of any person as a public employee.

(c) Matters which, if discussed in public, would be likely to affect adversely the reputation of any person, other than a member of the body itself.

(d) Consideration of the acquisition, sale, or lease of land which, if discussed in public, would be likely to benefit a party, or parties, whose interests are adverse to those of the general community.

**91-A:4 Minutes and Records Available for Public Inspection.** Every citizen during the regular or business hours of all such bodies or agencies, and on the regular business premises of such bodies or agencies, has the right to inspect all public records, including minutes of meetings of the bodies or agencies, and to make memoranda abstracts, photographic or photostatic copies, of the records or minutes so inspected, except as otherwise prohibited by statute or section 5 of this chapter.

**91-A:5 Exemptions.** The records of the following bodies are exempted from the provisions of this chapter:

I. Grand and petit juries.

II. Parole and pardon boards.

III. Personal school records of pupils.

IV. Records pertaining to internal personnel practices, confidential, commercial, or financial information, personnel, medical, welfare, and other files whose disclosure would constitute invasion of privacy.

**91-A:6 Exclusion.** This chapter shall not apply to chapter 282 of the Revised Statutes Annotated, relative to employment security.

**91-A:7 Violation.** Any person aggrieved by a violation of this chapter may petition the superior court for injunctive relief. The courts shall give proceedings under this chapter priority on the court calendar.

**251:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

**CHAPTER 252.**

AN ACT RELATIVE TO THE CONTROL OF JUNKYARDS ON THE INTERSTATE AND FEDERAL-AID PRIMARY HIGHWAY SYSTEMS IN ORDER TO MEET THE REQUIREMENTS OF THE "HIGHWAY BEAUTIFICATION ACT OF 1965".

WHEREAS, the Congress of the United States has enacted legislation providing for the control of junkyards along the interstate system and the federal aid primary system, and

WHEREAS, Title 23, U. S. C. Section 136 provides that federal aid highway funds apportioned on or after January 1, 1968 to any state which has not made provisions for the effective control of the establishment and maintenance of outdoor junkyards on these two systems will be reduced by amounts equal to ten per centum of the amounts which would otherwise be apportioned to such state, now, therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**252:1 New Chapter.** Amend RSA by inserting after chapter 249-A as inserted by 1961, 269:1 the following new chapter:

**Chapter 249-B****Control of Junkyards**

**249-B:1 Policy.** It is hereby declared to be the policy of this state and in the public interest to provide for effective control of the establishment, use and maintenance of junkyards adjacent to the interstate system and the federal aid primary system in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

**249-B:2 Definitions.** For the purpose of this chapter, the following words and phrases shall be construed as follows:

I. "Effective control" means that by January 1, 1968 all junkyards located within one thousand feet from the nearest edge of the right of way and visible from the main traveled way of the interstate and federal aid primary system shall be screened by natural objects, plantings, fences, or other appropriate means so as not to be visible from the main traveled way of the system, or shall be removed from sight.

II. "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

III. "Automobile graveyard" means any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

IV. "Junkyard" means an establishment or place of business which is maintained, operated, or used for storing, keeping, buying or selling junk, or for the maintenance or operation of an automobile graveyard, and includes garbage dumps and sanitary fills. The word does not include any motor vehicle dealers registered with the director of motor vehicles under RSA 260:45 through 260:52 and controlled under RSA 267-A:14.

**249-B:3 Rules and Regulations.** The commissioner of public works and highways is authorized to issue reasonable rules and regulations to provide for effective control of junkyards in conformance with rules and regulations issued by an appropriate department or agency of the United States and pursuant to the declared policy of the state as set forth in section 1 of this chapter. Such rules and regulations shall include a regulation that where two or more unregistered, or old motor vehicles, no longer intended or in condition for legal use on the highways, or used parts or materials from motor vehicles which, taken together, include in bulk two or more vehicles are held on the property of a person or persons not operating an establishment or place of business which is maintained, operated, or used for storing, keeping, buying or selling junk, or for the maintenance or operation of an automobile graveyard in violation of RSA 267-A the commissioner shall enforce the provisions of RSA 267-A.

**249-B:4 Requirement for Operation or Maintenance.** A person shall not operate, establish or maintain a junkyard under the provisions of this chapter until he (1) has obtained a license to operate a junkyard business and (2) has obtained a certificate or approval for the location of the junkyard. Application for the license and the certificate of approved location shall be made in writing to the commissioner of public works and highways or his agent. The application must contain a description of the land to be included within the junkyard, by reference to so-called permanent boundary markers.

**249-B:5 Time of Hearing.** A hearing on the application shall be held within the municipality not less than two nor more than four weeks from the date of the receipt of the application by the commissioner. Notice of the hearing shall be given to the applicant by mail, postage prepaid, to the address given in the application and the notice shall be published once in a newspaper having a circulation within the municipality, which publication shall be not less than seven days before the date of the hearing.

**249-B:6 License Requirements.** At the time and place set for hearing, the commissioner of public works and highways or his agent shall hear the applicant and all other persons wishing to be heard on the application for a license to operate, establish, or maintain the junkyard. In passing upon the application, he shall take into account the suitability of the applicant with reference to his ability to comply with the fencing requirements or other reasonable regulations concerning the proposed junkyard, and to any other matter within the purposes of the chapter.



**249-B:7 Location Requirements.** At the time and place set for hearing, the commissioner of public works and highways or his agent shall hear the applicant and all other persons wishing to be heard on the application for certificate of approval for the location of the junkyard. In passing upon the application, after proof of legal ownership or right to the use of the property by the applicant for the license period, he shall take into account the nature and development of surrounding property, such as the proximity of churches, schools, hospitals, public buildings or other places of public gathering; and whether or not the use of the proposed location can be reasonably prevented from affecting the public health, safety, or morals by reason of offensive or unhealthy odors or smoke, or of other causes. In no case may a license be granted for a new junkyard located less than one thousand feet from the nearest edge of the right of way lines and visible from the main traveled way of the interstate and federal aid primary system.

**249-B:8 Grant or Denial of Application; Appeal.** After the hearing the commissioner of public works and highways shall, within two weeks, make a finding as to whether or not the application should be granted, giving notice of his finding to the applicant by mail, postage prepaid, to the address given on the application. If approved, the license, including the certificate of approved location, shall be forthwith issued to remain in effect until the following April 1. Approval is personal to the applicant and is not assignable. Licenses shall be renewed annually thereafter on April 1, upon payment of the annual license fee without a hearing, if all provisions of this chapter are complied with during the license period, and if the applicant is not convicted of any type of larceny or of receiving stolen goods. A writ of certiorari lies from the denial of the application to the superior court of the county in which the proposed location is situated.

**249-B:9 License Fees.** The annual license fee is twenty-five dollars to be paid at the time the application is made and annually thereafter on April 1 in the event of renewal. If the application is not granted, the fee shall be returned to the applicant. All fees shall be deposited in the highway fund.

**249-B:10 Established Junkyards.** For the purposes of this chapter the location of junkyards already lawfully established are considered approved by the commissioner of public works and highways where located and the owner of the yard considered suitable for the issuance of a temporary license. Within sixty days from the passage of this chapter, however, the owner shall furnish the commissioner of public works and highways the information as to location which is required in an application, together with the license fee, and the commissioner shall issue him a license valid until April 1, 1968, at which time the owner may apply for a renewal.

**249-B:11 Nonconforming Established Junkyards.** Notwithstanding any provision of this chapter, any junkyard in existence on October 22, 1965 which does not conform to the requirements of this chapter and which as a practical matter cannot be screened, shall not be required to be removed until July 1, 1970.

**249-B:12 Application of Other Statutes.** The provisions of RSA 267-A shall not apply to junkyards located on the interstate or federal aid primary system. If the provisions of this chapter or the application of such provisions to any person or circumstances appear to conflict with the provisions of RSA 267-A then the provisions of this chapter shall take precedence.

**249-B:13 Public Land.** All public lands or reservations of the United States, state, city, town or other political subdivision which are adjacent to any portion of the interstate and primary system shall be effectively controlled in accordance with the provisions of this chapter.

**249-B:14 Industrial Areas.** Notwithstanding any provision of this chapter, junkyards, auto graveyards, and scrap metal processing facilities may be operated within areas adjacent to the interstate system and the primary system which are within one thousand feet of the nearest edge of the right-of-way and which are zoned industrial under authority of state law, or which are not zoned under authority of state law, but are used for industrial activities, as determined by the commissioner of public works and highways.

**249-B:15 Compensation.** Just compensation shall be paid the owner for the relocation, removal, or disposal of the following junkyards:

- (1) Those lawfully in existence on October 22, 1965.
- (2) Those lawfully along any highway made a part of the interstate or federal aid primary system on or after October 22, 1965 and before January 1, 1968; and
- (3) Those lawfully established on or after January 1, 1968.

**249-B:16 Acceptance of Federal Funds.** The commissioner of public works and highways may accept any allotment of funds by the United States, or any department or agency thereof, for the foregoing purposes. The commissioner is authorized to landscape, screen and/or acquire land or interest in land as may be required to effectively control junkyards in accordance with the provisions of this chapter. The commissioner is further authorized to expend funds made available for these purposes.

**249-B:17 Penalty.** After ninety days from the passage of this chapter, a maximum fine of ten dollars shall be imposed upon a person for each twenty-four hours or fraction thereof in which he is in violation of this chapter. All fines shall be deposited in the highway fund.

**249-B:18 Injunction.** In addition to the penalty in section 249-B:17, the commissioner of public works and highways may obtain a mandatory injunction to end the violation.

**249-B:19 Limitation on Chapter.** The provisions of this chapter shall be declared to be null and void by the governor at any time when such action is recommended by the commissioner of public works and highways because the operation of said chapter is no longer necessary (1) to comply with federal laws and regulations and such laws and regulations are supported with federal funds on a matching basis and (2) to protect the integrity of federal-aid highway apportionments or (3) to insure collection of any bonus funds which may be made available to the state by the federal government in connection with this chapter. After the date so declared by the governor, this chapter shall not be effective.

**252:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 27, 1967.]

[Effective date June 27, 1967.]

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## CHAPTER 253.

AN ACT ESTABLISHING A DEPARTMENT OF CENTRALIZED AUTOMATED DATA PROCESSING.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**253:1 Centralized Automated Data Processing Department Established.** Amend RSA by inserting after chapter 8-B (supp) as inserted by 1961, 266:1 the following new chapter:

### Chapter 8-C

#### Department of Centralized Automated Data Processing

**8-C:1 Department Established — Purposes and Powers.** There is hereby created the department of centralized automated data processing. It shall have the purposes and powers to (a) establish and operate a central data processing agency to serve as many other departments and agencies of the state as feasible, (b) to provide more efficient, expeditious, timely, and complete handling of needed and essential data, and to that end shall:

(1) assist in establishing automated data processing procedures and facilities;

(2) formulate a current and long-range automated data processing plan through studies of the needs of state agencies for automated data

processing services and recommend priorities for the implementation of programs;

(3) administer state automated data processing centers if authorized to do so by legislative act or by contract with agencies involved;

(4) advise the state personnel board on qualifications and wage standards for automated data processing personnel;

(5) recommend which of the state's automated data processing facilities or equipment shall be used for specific data processing services and recommend the location and equipment and construction and equipping of all data processing facilities;

(6) recommend standards governing the choice of state automated data processing equipment;

(7) prescribe standards governing automated data processing systems work, programming methods, and the form of input data where data is processed by the department;

(8) advise the governor and legislature on automated data processing matters; and

(9) perform automated data processing services for agencies when so specified in a legislative act or when contracted for with an agency;

(10) perform such other acts as may be required for the effective performance of the department's duties.

**8-C:2 Data Processing Commission; Established.** There is hereby created a data processing commission composed of seven members appointed by the governor with the approval of the council. No less than two of the members shall be persons not in the employ of the state and not legislators but shall have had experience in or knowledge of data processing applications and one of them shall be or have been a finance executive and one shall be or have been a general administration executive; one member shall be a senator; and one shall be a representative.

**8-C:3 Term of Office and Organization.** The term of office of the non-legislative members of the commission shall be five years and of the legislative members two years. The initial appointments of the non-legislative members shall be one member for one year, one for two years, one for three years, one for four years, and one for five years. Each member shall serve until his successor is appointed and qualified. The governor and council shall designate one of the members chairman for a term of two years and the director of data processing shall be the executive secretary of the commission.

**8-C:4 Powers.** The commission shall have the same powers of management, supervision, and direction over the internal operation of the

department as the directors of a business corporation have over its business, except as otherwise limited by law. It may make all rules and regulations necessary for the management of its own business and for the conduct of its officers, employees, and agents and to secure the efficient operation of the department.

**8-C:5 Compensation.** Members of the commission who are not state employees or legislators shall be paid twenty-five dollars a day, each, for such time as they are actually engaged in the work of the department, all members shall be paid their actual expenses incurred as a result of such work, and non-legislative members shall be paid mileage at the same rate as state employees but the legislative members shall be paid mileage at the legislative mileage rates.

**8-C:6 Director of Data Processing.** Administrative and executive direction of the department shall be under the direction of a director of data processing who shall be appointed by the data processing commission created by this chapter, and shall serve at the pleasure of the commission. The commission, with the approval of the governor and council may establish the salary of the director at any step in the salary range provided for the position and upon a finding by the commission that they are unable to employ a qualified person within the established salary range and upon application by it to the governor and council, the governor and council may establish a higher salary range and the commission, with the approval of the governor and council may employ a director at any step in such salary range.

**8-C:7 Powers and Duties of the Director.** The director shall have the power to organize, establish, and operate the department and employ necessary personnel for the purposes thereof, including, with the approval of governor and council, the employment of consultants and the power to make contracts with qualified persons to carry out specific projects relative to the operation of the department. Any persons employed by the director shall be subject to the personnel laws of the state providing, however, that as to the compensation for any chief of computer systems or chief of computer programming which position or positions in the opinion of the director requires specialized data processing knowledge and training and for which the director finds qualified persons cannot be employed at the classified salary range, the provisions of RSA 99:1 shall not apply and the salary range for such position or positions shall be established by the director with the approval of the commission and the governor and council.

**8-C:8 Deputy Director.** There shall be a deputy director of the department who shall be appointed and whose qualifications shall be established by the director with the approval of the commission and the governor and council. The director with the approval of the commission and

the governor and council may establish the salary of said deputy at any step in the salary range provided for the position.

**8-C:9 Annual Reports.** The commission shall on December 1 of each year file with the governor and the general court a report of its activities and operations, and its recommendations for immediate and long range implementation of the purposes of this chapter and in addition its recommendations of how the department can be of service to the public as a whole with particular reference to service to and for new or established business in the state.

**253:2 Appropriation.** There is hereby appropriated for the department of centralized automated data processing for the fiscal year ending June 30, 1968, the sum of seventy-five thousand dollars and there is hereby appropriated for said department the sum of one hundred and seventy-five thousand dollars for the fiscal year ending June 30, 1969. The sums hereby appropriated shall be expended, for expenses for administration of RSA 8-C, as inserted by this act which purposes may include but not limited to the rental or purchase of equipment. The sums appropriated for the fiscal year ending June 30, 1968, shall not lapse but may be expended in the succeeding fiscal year. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**253:3 Commission Authorized to Initially Appoint Deputy Director.** In the event that prior to the appointment of a director of the data processing department the commission finds that in order to expedite the establishment of the department it will be beneficial to the state to appoint a deputy director, it shall have the power, with approval of governor and council, to appoint a deputy director, to establish his salary at any step in the salary range provided for the position, and to establish his qualifications. He shall hold office until a director is appointed and his successor is appointed and qualified.

**253:4 Fiscal Matters.** Amend RSA by inserting after section 8:13 the following new section: **8:13-a Data Processing.** The director of accounts shall handle and carry on the system of accounts and reports of financial transactions prescribed by him for all departments and agencies of the state, and the records of funds received, and the systems of central state accounting records and encumbrance accounting by means of the services provided by the central automated data processing department.

**253:5 Salary Adjustments.** Amend RSA by inserting after section 99:4 the following new section: **99:4-a Salary Adjustment.** In the event the authority granted to the director of the department of data processing by RSA 8-C:7 to increase the salary for a classified position in order to recruit personnel is exercised, the salaries of all classified personnel in the same classification may be increased by the director of personnel to the same amount. Any increase so made shall be a charge against the salary

adjustment fund or if the department in which the position occurs is financed by a special fund, such increase shall be a charge against such special fund.

**253:6 Salary Established.** Amend RSA 94:1 (supp), as amended, by inserting in the proper alphabetical order the following:

Director of data processing	\$20,000	\$25,000
Deputy director of data processing	15,500	19,500

**253:7 Rental through Division of Purchase and Property.** Amend RSA 8:19, II by striking out said paragraph and inserting in place thereof the following:

II. Purchase all materials, equipment and supplies for all departments and agencies of the state including contracting for the purchase or rental of automatic data processing equipment, except as otherwise provided by law.

**253:8 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 27, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 254.

AN ACT RELATIVE TO THE PREVENTION OF POLLUTION FROM DREDGING,  
FILLING, MINING, OR OTHER CONSTRUCTION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**254:1 Water Pollution; Dredging.** Amend RSA 149 by inserting after section 8 as amended by 1961, 47:1; 1963, 48:1; 1967, 145:1; and 1967, 147:9 the following new section: **149:8-a Dredging.** Any person proposing to dredge, excavate, place fill, mine or undertake construction in the surface waters of the state shall be directly responsible for the submission of plans concerning such proposal to the commission at least thirty days prior to undertaking any such activity and obtain permission from the commission in writing to conduct such operations. The commission shall have full authority to establish the terms and conditions under which said permit may be exercised, giving due consideration to the circumstances involved and the purposes of this chapter. Nothing contained herein shall be construed to modify or limit the duties and authority conferred upon the water resources board and the governor and council under the provisions of RSA 482.

**254:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 27, 1967.]

[Effective date June 27, 1967.]

**CHAPTER 255.**

AN ACT RELATIVE TO THE DEFINITION OF COMPANY IN CONNECTION WITH  
AND WHAT ARE LEGAL INVESTMENTS OF SAVINGS BANKS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**255:1 Definition of Terms.** Amend RSA 387:1, V by striking out said paragraph and inserting in place thereof the following: V. Company: A corporation and its consolidated subsidiary companies, if any, or a voluntary association organized under the laws of the United States or any state thereof and located and doing business principally within the United States.

**255:2 Bonds and Notes.** Amend subparagraph (a) of RSA 387:15, I (supp) as amended by 1955, 214:9 by striking out the word "ten" in line two and inserting in place thereof the words (one hundred) and by striking out the word "one" in line four and inserting in place thereof the word (five) so that said subparagraph as amended shall read as follows: (a) Such company shall have had in the five years next preceding investment an average gross income of at least one hundred million dollars and average net income available for dividends of at least five million dollars; and

**255:3 Reserves.** Amend RSA 387:15 by striking out paragraph II and inserting in place thereof the following:

II. Preferred Stock. The dividend-paying stock of senior preference of industrial companies incorporated in and doing business in the United States which have assets, after reserves for depreciation, depletion and obsolescence, of at least one hundred million dollars, provided:

(a) All securities of such company senior to the preferred stock, if any, are legal investments hereunder and do not exceed more than fifteen per cent of total capital; and

(b) Such company shall, in four of the five years next preceding investment, have earned its preferred dividend requirements, including interest, if any, at least three times; and

(c) The dividends on such stock shall be cumulative and have been paid regularly and in full in each of the ten years next preceding investment; or

(d) If such stock has been issued within ten years of the date of investment, the dividends on such stock shall be cumulative and have been paid in full in every year since its issuance and provided the company which issued such stock shall have had earnings during each of those ten years equal pro forma to at least three times overall coverage.



**255:4 Assets.** Amend RSA 387:15 by striking out paragraph III and inserting in place thereof the following: III. Common Stock. The dividend-paying capital stock of industrial companies incorporated in and doing business in the United States which have tangible assets of at least one hundred million dollars provided:

(a) Such company shall have at least one million shares of such stock outstanding; and

(b) Such stock shall be listed and traded in one hundred share lots on the New York Stock Exchange or American Stock Exchange or listed on the Boston Stock Exchange; and

(c) All securities senior to such stock are legal investments hereunder; and

(d) Common stock and surplus combined must equal at least seventy per cent of the total capital of such company; and

(e) Such company shall have had net earnings available for the common stock in at least four of the five years next preceding investment; and

(f) The stock shall have earned and paid a dividend in at least four of the five years next preceding investment.

**255:5 Effective Date.** This act shall take effect November 1, 1967.

[Approved June 27, 1967.]

[Effective date November 1, 1967.]

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## CHAPTER 256.

### AN ACT RELATIVE TO COMPENSATION FOR BOARD OF OPTOMETRY AND ANNUAL FEES FOR REGISTERED OPTOMETRISTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**256:1 Board of Optometry.** Amend RSA 327:5 by striking out the word "five" in line two and inserting in place thereof the word (fifteen) so that said section as amended shall read as follows: **327:5 Compensation.** The compensation of the board, except the secretary, shall be fifteen dollars each for every day actually spent in the discharge of their duties and their necessary expenses. The secretary of the board shall receive a salary to be fixed by the board. Amounts so paid to the board and secretary shall not exceed the amount received by the treasurer from the board in fees.

**256:2 Registration.** Amend RSA 327:14, as amended by 1957, 36:4 by striking out the word "seven" in line four and inserting in place thereof

the word (ten) so that said section as amended shall read as follows: **327:14 Applications; Fees.** Every registered optometrist shall, annually, before July first, sign, and forward this statement and application for renewal of his registration certificate to the secretary of the board, together with an annual license fee of ten dollars, in default of which the board may revoke or suspend his registration certificate and his authority to practice optometry thereunder, after a hearing as provided by section 22; but the payment of said fee at or before the time of hearing, with such additional sum, not exceeding five dollars, as may be fixed by the board, shall remove the default.

**256:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 27, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 257.

### AN ACT RELATIVE TO FILING REPORT OF MOTOR VEHICLE ACCIDENT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**257:1 Filing Report.** Amend RSA 262-A:67, as amended by 1957, 144:1, 1963, 330:1, and 1965, 207:4 by striking out the section and inserting in place thereof the following: **262-A:67 Conduct After Accident.** Any person who is the operator of a motor vehicle who is knowingly involved in any accident which results in death, personal injury or damages to property, shall immediately stop such vehicle at the scene of such accident and give to the operator of any other vehicle involved in said accident, and to the person injured, or the owner of the property damaged, his name and address, the number of the driver's license, the registration number of the motor vehicle and the name and address of each occupant thereof. If by reason of injury, absence or removal from the place of the accident, or other cause, such injured person, or operator of such other motor vehicle, or owner of the property damaged, or any of them, is unable to understand or receive the information required hereunder, such information shall be given to any uniformed police officer arriving at the scene of the accident or immediately to a policeman at the nearest police station. Any person operating a motor vehicle which is in any manner involved in an accident shall within five days after such accident report in writing to the director of the division of motor vehicles the facts required hereunder together with a statement of the circumstances (a) if any person is injured or killed, or (b) if damage to property is in excess of one hundred dollars, or (c) if said person is uninsured and damage to property is in excess of fifty dollars. Voluntary intoxication shall not con-

stitute a defense in the matter of knowledge under the provisions of this section. Such report, the form of which shall be prescribed by said director, shall contain information to enable the said director to determine whether the requirements for the deposit of security under section 5 of chapter 268 RSA, are inapplicable by reason of the existence of insurance or other exceptions specified in that chapter. If such operator be physically or mentally incapable of making such report, the owner of the motor vehicle involved in such accident or his representative shall, after learning of the accident, forthwith make such report. The operator or the owner shall furnish such additional relevant information as said director shall require. The provisions of this section shall be of general application and shall not be restricted to a public way as defined in RSA 259.

**257:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 258.

### AN ACT REQUIRING LICENSING TO ENGAGE IN BUSINESS OF SECOND MORTGAGE HOME LOANS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**258:1 Change of Title.** Amend the title of RSA 398-A (supp) as inserted by 1961, 255:1 by striking out the same and inserting in place thereof the following: (Second Mortgage Home Loans).

**258:2 Definition.** Amend RSA 398-A:1 (supp) as inserted by 1961, 255:1 by inserting after paragraph IV the following new paragraph:

V. "Second mortgage loan" means a loan which is secured in whole or in part by a mortgage upon any interest in real property used as a dwelling with accommodations for not more than four families, which property is subject to the lien of one or more prior mortgages.

**258:3 Second Mortgage Home Loans.** Amend RSA 398-A (supp) as inserted by 1961, 255:1 by inserting after section 1 the following new sections:

**398-A:1-a License Required.** I. No person shall engage in the business of second mortgage loan unless he or his broker, agent or other representative first obtains a license as provided herein, except when the person lending money is the seller of the real estate upon which the second mortgage is to be taken as security or when the amount of a second

mortgage loan exceeds fifteen thousand dollars or when a second mortgage loan is made by the same lender who holds the first mortgage loan and the principal amount of the second mortgage loan does not exceed one third of the principal amount of the first mortgage loan, or if the lender charges, contracts for or receives a rate of interest of six per cent or less per year computed upon the basis of a true simple interest rate. A person shall not be deemed to be in the business of second mortgage home loans if he makes or negotiates not more than two second mortgage loans in a calendar year.

II. The application for such license shall be in writing, under oath and in the form prescribed by the bank commissioner.

III. The license fee for each calendar year or part thereof shall be thirty-five dollars.

IV. Upon the filing of such application and the payment of said fee, the commissioner shall investigate the facts and if he shall find (a) the financial responsibility, experience, character and general fitness of the applicant are such as to command the confidence of the public and to warrant the belief that the business will be operated lawfully, honestly and fairly within the purposes of this chapter; and that (b) the applicant has available for use in such business at the location specified in the application at least twenty-five thousand dollars, or, has such amount available or actually invested in loans made under this chapter, and that (c) allowing the applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted, he shall enter an order approving such application and deliver a license to the applicant for a period which shall expire the last day of December next following the date of its issuance. Each such license shall state the name and address of the licensee and shall be posted in the licensee's place of business. Such license shall not be transferable or assignable. No licensee shall transact any business provided for by this chapter under any other trade name unless he shall have a separate license therefor. If the commissioner shall not so find, he shall enter an order denying such application and forthwith notify the applicant of the denial, returning the license fee. Before the corporate or trade name under which the licensed business is conducted is changed the licensee shall give notice to the commissioner who shall amend the license accordingly without cost.

V. The applicant shall also, at the same time file with the commissioner a surety company bond to the state, in the sum of five thousand dollars, to be approved by the commissioner, for the use of the state and of any person who may have a cause of action against the principal in said bond under the provisions of this chapter and conditioned that he will conform to and abide by each provision of this chapter and will pay to the state and to any such person any sum that may become due or ow-

ing to the state or to such person from said principal under and by virtue of the provisions hereof.

**398-A:1-b Revocation.** The commissioner may upon notice and hearing, revoke such license if satisfied that the licensee has violated any provisions of this chapter.

**398-A:1-c Examinations.** For the purpose of discovering violations of this chapter the commissioner may, either personally or by any person designated by him, at any time, investigate the loans and business of any licensee and of any person, partnership, or corporation by whom any such loan shall be made, whether such person, partnership, or corporation shall act, or claim to act, as principal, agent, or broker, or under or without the authority of this chapter; and for that purpose he shall have free access to the books, papers, records, and vaults of all such persons, partnerships and corporations. He shall also have authority to examine, under oath, all persons whose testimony he may require, relative to such loans or business.

**398-A:1-d Cost.** The commissioner may make such an examination of the affairs, business, office, and records of each licensee at least once each year. For each examiner employed in conducting any such examination, the sum of forty dollars per day shall be paid by the licensee to the commissioner. Sums collected under the provisions hereof shall be credited to the appropriation for the bank commissioner.

**398-A:1-e Report.** Each licensee shall file with the commissioner on or before the first day of August each year a report under oath concerning the business and operations for the preceding fiscal year ending June 30 in the form prescribed by the commissioner, which shall show the annual volume and outstanding amounts of second mortgage loans, the classification of such loans made by size and by security, and the gross income from, and expenses properly chargeable to, such loans. Whenever a licensee operated two or more licensed offices or whenever two or more affiliated licensees operate licensed offices, then a composite report of such group of licensed offices may be filed in lieu of individual reports. The commissioner shall publish an analysis of the information required under this section as a part of his annual report. Any licensee failing to file the report required by this section within the time prescribed shall pay to the commissioner the sum of five dollars for each day said report is overdue. If a licensee elects to file a composite report and such composite report is not filed on or before August first as herein required the penalty herein prescribed shall apply separately for each license held.

**258:4 Limitations.** Amend RSA 398-A:2 (supp) as inserted by 1961, 255:1 by striking out said section and inserting in place thereof the following: **398-A:2 Interest and Interest Rates.** No person, partnership or corporation shall directly or indirectly charge, take or receive for a sec-

ond mortgage loan secured by property which is occupied in whole or in part at the time said loan is made as a home by any obligor or the mortgage debt or by any person granting or releasing any interest under said mortgage a greater rate of interest than one and one-half per cent per month computed on unpaid balances and following the sixth month of any period in which a loan has been in continuous default a greater rate of interest than one per cent per month computed on unpaid balances. Notwithstanding any other provisions of this chapter the charges which may be collected on any loan made under this chapter for the period beginning six months after the originally scheduled final installment date of the loan and ending with date of payment of the loan in full shall not exceed six per cent per annum simple interest on the balances outstanding from time to time during said period. The borrower shall have the right to anticipate his debt in whole or in part at any time without being required to pay a penalty to the lender therefor. The aggregate of the amount of money or value actually received or held at the time of the loan, plus the sum of all existing indebtedness of the borrower to the lender shall for the purposes of this chapter be deemed the amount of the loan. Except where the borrower agrees in writing to a different application of his payments, in cases where partial payments are made, the interest shall be calculated to the time of payment, and such payment shall first be applied to interest, and the balance thereafter remaining, if any, shall be applied to principal. The maximum interest shall include all sums paid, directly or indirectly by or on behalf of the borrower to the lender for interest, brokerage, commissions, services, extension of loan, forbearance to enforce payment or otherwise for making or securing the loan, not including, however, sums the lender may require the borrower to pay or reimburse the lender for actual recording and foreclosure costs, for reasonable legal charges incurred for the examination of the title and the marketability of the security for the loan, for the drafting of the security instruments or documents, and, when such services are utilized, for collecting the debt or realizing upon the security.

**258:5 Equivalent in Money Repealed.** Amend RSA 398-A:3 (supp) as inserted by 1961, 255:1 by striking out said section and inserting in place thereof the following: **398-A:3 Effect of Failure to Specify Interest Rate.** If any note secured by a second mortgage and any such mortgage does not, among its provisions, specify as separate items the principal sums, the rate of interest, the period of the loan and the periodic due dates, if any, of principal and interest, the lender shall have no right to collect interest.

**258:6 Violations.** Amend RSA 398-A (supp) as inserted by 1961, 255:1 by inserting after section 7 the following new section: **398-A:7-a Penalty.** Any person who willfully violates any provision of this chapter shall be fined not less than five hundred nor more than five thousand dollars for each such violation.

**258:7 Prohibition and Exemptions.** Amend RSA 398-A (supp) as inserted by 1961, 255:1 by inserting after section 8 the following new sections:

**398-A:9 Advertising.** No licensee or other person shall advertise, print, display, publish, distribute or broadcast or permit to be advertised, printed, displayed, published, distributed, or broadcast in any manner whatsoever any statement or representation with regard to the rates, terms, or conditions for the lending of money under the provisions of this chapter which is false, misleading or deceptive. Any reference to the amount of a loan shall refer to the original principal amount. Any statement so made of the amount of an installment or the rate or amount of interest charges required for any loan shall also indicate the original principal amount of such loan, the number of installments required to pay such loan, and the interval between each installment.

**398-A:10 Exemptions.** Nothing contained in this act shall be deemed to have any effect whatever upon the existing powers of any banking institution, savings bank, federal savings and loan association, or insurance company or other financial institution which is subject to any other law of this state or of the United States regulating the power of such institution to engage in mortgage loan transactions, or upon the conditions and limitations imposed by any such law upon the exercise of such powers.

**398-A:11 Commissioner Their Attorney.** Any out-of-state second mortgage broker or agent shall be deemed to have appointed the bank commissioner or his successor in office, his true and lawful attorney upon whom may be served all lawful process in any action or proceeding against him growing out of the provisions of this chapter. Any process against such person so served shall be of the same legal force and validity as if served on him personally.

**398-A:12 Service of Process.** Service of such process shall be made by leaving a copy thereof with a fee of three dollars in the hands of the bank commissioner or in his office, and such service shall be sufficient, provided that notice thereof and a copy of the process are forthwith sent by registered mail by the plaintiff or his attorney to the defendant, and the defendant's return receipt and the affidavit of the plaintiff or his attorney of compliance therewith are appended to the writ and entered therewith. In the event that the notice and copy of the process are not delivered to the defendant the superior court may order such additional notice, if any, as justice may require.

**258:8 Repeal.** RSA 398-A:8 as inserted by 1961, 255:1 relative to application of chapter is hereby repealed.

**258:9 Effective Date.** This act shall take effect January 1, 1968.

[Approved June 27, 1967.]

[Effective date January 1, 1968.]

**CHAPTER 259.****AN ACT TO PROVIDE FOR AN IMMEDIATE HEARING ON TEMPORARY RESTRAINING ORDERS IN A DIVORCE LIBEL.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**259:1 Restraining Orders.** Amend RSA 458:16 (supp) as amended by 1955, 262:3 and 1967, 132:18 by inserting at the end of the section the following: (If the temporary orders are made ex parte, the party against whom the orders are issued may file a written request with the clerk of the superior court and request a hearing thereon. Such hearing shall be held no later than five days after the request is received by the clerk. The request shall be filed with the clerk of court for the county in which the libel for divorce, annulment or decree of nullity is filed) so that the section as amended shall read as follows: **458:16 Temporary Orders.** After the filing of a libel for divorce, annulment or a decree of nullity, the superior court may restrain either party from imposing any restraint upon the person or liberty of the other, or from entering the tenement wherein the other resides during the pendency of the libel and, during such pendency, may order a temporary allowance to be paid for the support of the other, and may make such orders respecting the custody and maintenance of the minor children of the parties as shall be deemed expedient for the benefit of the children. If the temporary orders are made ex parte, the party against whom the orders are issued may file a written request with the clerk of the superior court and request a hearing thereon. Such a hearing shall be held no later than five days after the request is received by the clerk. The request shall be filed with the clerk of court for the county in which the libel for divorce, annulment or decree of nullity is filed.

**259:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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**CHAPTER 260.****AN ACT CREATING THE POSITION OF CONSULTANT, HEALTH AND PHYSICAL EDUCATION IN THE STATE DEPARTMENT OF EDUCATION.**

WHEREAS, the contribution of instruction and participation in health and physical education programs is nationally recognized and accepted as the essential basis for the general welfare of the people and knowledge and experience in healthful living is basic to prevention of physical and mental ill health; and



WHEREAS, the fitness of our nation for the tasks of our times cannot be greater than the physical well being of the citizens of the state of New Hampshire and the productivity of the citizenry and the economic development of the state of New Hampshire are directly affected by the health and physical fitness of all citizens of New Hampshire; and

WHEREAS, the school health and physical education activities are important to the worthy use of leisure time programs now under state level leadership; and

WHEREAS, the school programs of health, physical fitness, remedial training, and the development of basic skills are necessary to the well-being of our children and adults in this modern age; and

WHEREAS, there is a need for an emphasis for programs of physical education for the physically handicapped and mentally retarded youngsters who attend our schools; now therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**260:1 Health and Physical Education Program.** The position of consultant in the field of school health education and physical education is created in the department of education. If funds become available from any source, to pay a salary to the consultant, the commissioner of education shall fill the position.

**260:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 27, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 261.

### AN ACT RELATIVE TO REPORTS AND ESCHEAT PROCEEDINGS INVOLVING UNCLAIMED AND ABANDONED PROPERTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**261:1 State Treasurer to Establish Schedule for Report of Financial Organization.** Amend RSA 471-A:12, IV (supp), as inserted by 1965, 214:1, by striking out said paragraph and inserting in place thereof the following: IV. Each report shall be filed before November 1, as of the next preceding June 30, of the year in which due. Reports of presumably abandoned properties of the kinds described in section 3 shall be filed in the year 1966 and in such subsequent years as the state treasurer shall determine, provided, however, that the state treasurer shall establish a sched-

ule so that each financial organization will report at least once in each five year period. Reports of presumably abandoned property of the kinds described in sections 4, 5 and 6 shall be filed in the year 1966, and the year 1970 and in every fifth year thereafter. Reports of presumably abandoned properties of all other kinds hereunder shall be filed annually. The state treasurer may postpone the reporting date upon written request by any person required to file.

**261:2 Initial Report.** Amend RSA 471-A:12, VII (supp), as inserted by 1965, 214:1, by adding at the end thereof the following sentence: (The initial report filed as of June 30, 1967 shall include all property held by the holder which is presumed abandoned under the terms of this chapter, excepting property paid or delivered to the state treasurer under this or other statutes.) so that said paragraph as amended shall read as follows: VII. The initial report filed under this chapter shall include all property as to which the time period resulting in a presumption of abandonment under the terms of this chapter commenced running on or after January 1, 1936, excepting property paid or delivered to the state treasurer prior to July 1, 1966 under other statutes. The initial report filed as of June 30, 1967 shall include all property held by the holder which is presumed abandoned under the terms of this chapter, excepting property paid or delivered to the state treasurer under this or other statutes.

**261:3 Eliminating Publication if Value not over Ten Dollars.** Amend the unnumbered paragraph of RSA 471-A:23, II (supp), as inserted by 1965, 214:1, by striking out the same and inserting in place thereof the following: II. At the time such action is commenced, the state treasurer shall cause notice thereof to be published once each week for two successive weeks in a newspaper having general circulation in the county in which is situated the last known address of the owner according to the records of the state treasurer, except, however, that such notice shall be limited to those items having a fair market value, on the date of the action, of more than ten dollars. If no address is listed, the notice shall be published in the county in which the holder of the abandoned property has his principal place of business within the state. Such notice shall be entitled "Notice of Proceedings to Declare Certain Abandoned Property Escheated to the State of New Hampshire" and shall include the following matters:

**261:4 Repeal.** Subparagraphs (b), (c), and (d) of RSA 471-A:23, II (supp) as inserted by 1965, 214:1 requiring publication of description, prior holder and value of property are hereby repealed.

**261:5 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

**CHAPTER 262.**

AN ACT RELATING TO THE ACTIVITIES OF REGISTERED ARBORISTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**262:1 Arborists.** Amend RSA 222:1 as amended by 1957, 73:1 by striking out the section and inserting in its place the following: **222:1 Certificate Required.** I. No person, firm, or corporation shall advertise, solicit, or contract to improve the condition of fruit, shade, or ornamental trees, by pruning, trimming, or filling cavities, or to protect such trees from damage by insects or disease, either by spraying or any other method, without having secured a certificate as provided in section 2 of this chapter. The removal of trees by means of topping, cutting into sections, and lowering to the ground by means of ropes or crane, is included in the activities for which a certificate is required. II. Any person failing to comply with the terms of this section or section 1-a of this chapter shall be fined one hundred dollars, or be imprisoned for not more than two months, or both. Nothing in this chapter prevents a person from improving or protecting trees on his own premises or those of his employer without securing a certificate as an arborist.

**262:2 Prohibitions.** Amend RSA 222 by inserting after section 1 as amended by 1957, 73:1 and by this act, a new section as follows: **222:1-a Prohibited Activities.** I. No arborist shall advertise in any manner to do arborist work in any category of activity in which he does not hold a certificate to work.

II. Climbing irons or spurs may be used by registered arborists when climbing dead trees or live trees that are being removed. It is unlawful for any person other than the owner of the trees to use climbing irons or spurs on live shade or ornamental trees, except under emergency conditions, and then only as their use is authorized under rules prescribed by the director of the division of resources development of the department of resources and economic development.

III. Licensed arborists shall carry their licenses, or a copy thereof, upon their persons at all times and produce it upon request.

**262:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

**CHAPTER 263.**

AN ACT PROVIDING FOR USE OF ADDITIONAL POLLING PLACES AT CAUCUSES  
IN LARGE TOWNS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**263:1 Caucus for Nomination of Candidates in Large Towns.** Amend RSA 56 by inserting after section 87-a (supp) as inserted by 1963, 280:3 the following new sections:

**56:87-b Additional Polling Place.** Any caucus held under the provisions of this subdivision in a town which has voted to adopt the provisions for additional polling places in said town, may be held at the central polling place in said town and also at said additional polling place. The local executive committee of the party holding the caucus shall prepare a checklist for each polling place. The polls at the additional polling place shall close one hour prior to the closing of polls at the central polling place and the ballot boxes from the additional polling place shall be opened and counted at the central polling place.

**56:87-c Filing.** In any town covered by the provisions of section 87-b any candidate for nomination for office shall file his name, with a declaration of the office for which he is filing, with the clerk of the political party holding the caucus five days before the date of the caucus. The clerk shall prepare the ballots to be used for said caucus and no other ballots shall be used at said caucus.

**263:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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**CHAPTER 264.**

AN ACT RELATIVE TO UNIT OWNERSHIP OF REAL PROPERTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**264:1 Definitions.** Amend paragraph II of RSA 479-A:1 (supp) as inserted by 1965, 155:1 by striking out said paragraph and inserting in place thereof the following: II. "Unit owner" means the person or persons owning a unit in fee simple absolute, or leasing a unit as hereinafter provided, and an undivided interest in the fee simple, or leased estate, of the common areas and facilities in the percentage specified and established in the declaration.

**264:2 Leased Property.** Amend paragraph XIII of RSA 479-A:1 (supp) as inserted by 1965, 155:1 by striking out said paragraph and

inserting in place thereof the following: XIII. "Property" means and includes the land, the building, all improvements and structures thereon, all owned in fee simple absolute, or leased as provided hereafter, and all easements, rights and appurtenances belonging thereto, and all articles of personal property intended for use in connection therewith, which have been or are intended to be submitted to the provisions of this chapter.

**264:3 Limitation.** Amend RSA 479-A:2 (supp) as inserted by 1965, 155:1 by striking out said section and inserting in place thereof the following: **479-A:2 Application of Chapter.** This chapter shall be applicable only to property which the sole owner or all the owners thereof or, in the case where the property is leased of another for a period of not less than thirty years, the sole lessee or all the lessees thereof submit to the provisions hereof by duly executing and recording a declaration as hereinafter provided.

**264:4 Taxation.** Amend RSA 479-A:21 (supp) as inserted by 1965, 155:1 by striking out said section and inserting in place thereof the following: **479-A:2 Separate Taxation.**

I. Each unit and its percentage of undivided interest in the common areas and facilities shall be deemed to be a parcel and shall be subject to separate assessment and taxation by each assessing unit and special district for all types of taxes authorized by law including, but not limited, to special ad valorem levies and special assessments. Neither the building, the property, nor any of the common areas and facilities shall be deemed to be a parcel.

II. In the event the land or the building, including common areas and facilities, is separately owned, and leased to the unit owner for a period of not less than thirty years, and such lease, duly recorded, provides that the lessee shall pay all such taxes, such unit and its percentage of undivided interest in the common areas and facilities shall be deemed to be a parcel and shall be separately assessed and taxed as aforesaid.

**264:5 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 265.

### AN ACT RELATING TO MILK STANDARDS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**265:1 Definitions.** Amend RSA 184 by inserting after section 102 as inserted by 1963, 289:1 the following new sections:

**184:103 Standards of Identity.** The milk sanitation board may promulgate regulations setting forth definitions and standards of identity for milk and milk products. When promulgating such regulations the board shall not be inconsistent with those standards of identity for milk and milk products established by existing laws or those promulgated under the federal act (RSA 146:2 X). Said regulations shall be promulgated in the manner prescribed by paragraph II of section 93.

**184:104 Penalty.** Any person who violates any of the provisions of this subdivision or any regulations promulgated hereunder or whoever sells, offers for sale, or has in his possession with intent to sell any milk or milk products which fail to conform to the standard of identity established by regulations of the board as provided in section 103, shall upon conviction for the first offense be fined not exceeding fifty dollars, for the second offense be fined not exceeding one hundred dollars, and for the third and subsequent offenses be fined not exceeding two hundred dollars or imprisoned not more than one year or both.

**265:2 Terms.** Amend RSA 184:79 as inserted by 1963, 289:1 by adding after paragraph XXI the following new paragraphs:

**XXII.** The term "milk" means the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, excluding that obtained within fifteen days before and five days after calving, or such longer period as may be necessary to render the milk practically colostrum free. The term "milk" unqualified means cow's milk. It shall contain not less than eleven and eighty-five one hundredths per cent of milk solids, nor less than three and thirty-five one hundredths per cent of milk fat.

**XXIII.** The terms "pasteurization", "pasteurized", and similar terms mean the process of heating every particle of milk or milk product to at least 145°F., and holding it continuously at or above this temperature for at least thirty minutes, or to at least 161°F., and holding it continuously at or above this temperature for at least fifteen seconds, in equipment which is properly operated and approved by the health authority. The milk products which have a higher milkfat content than milk and/or contain added sweeteners shall be heated to at least 150°F., and held continuously at or above this temperature for at least thirty minutes, or to a least 166°F., and held continuously at or above this temperature for at least fifteen seconds. Nothing in this definition shall be construed as barring any other pasteurization process which has been recognized and demonstrated to be equally efficient and which is approved by the milk sanitation board.

**XXIV.** The term "milk products" means any product for which a

definition and standard of identity has been established by the board under the authority of RSA 184:103.

**265:3 Repeal.** Sections 36 as amended by 1959, 141:1, 2; 38 as amended by 1959, 141:3; 38-a as inserted by 1959, 141:4; 39 as amended by 1959, 141:5; 41 as amended by 1961, 28:1; 42; 43; 44 as amended by 1961, 222:1, and 45 of RSA 184, relative to milk and milk products, are hereby repealed.

**265:4 Repeal.** Paragraphs I-VIII, inclusive, of RSA 184:79, as inserted by 1963, 289:1 relative to definitions of milk and milk products are hereby repealed.

**265:5 Repeal.** Section 100 of RSA 184 as inserted by 1963, 289:1 relative to penalty for violations of provisions of the subdivision is hereby repealed.

**265:6 Effective Date.** RSA 184:103 as inserted by section 1 of this act shall take effect on passage. All other parts of this act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date section 1 effective June 27, 1967,  
remainder of act as specified.]

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## CHAPTER 266.

AN ACT RELATIVE TO INVESTMENTS OF SAVINGS BANKS IN UNSECURED NOTES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**266:1 Bank Investments.** Amend paragraph IV (supp) of RSA 387:5 as amended by 1955, 214:17 and 1963, 144:1 by striking out the paragraph and inserting in its place the following: IV. Unsecured. Notes with one or more signers, with or without one or more endorsers, provided that (1) no savings bank shall invest in a loan which exceeds two per cent of its capital funds unless suitable current data is furnished to the bank showing that the borrower and his co-signers or endorsers, if any, have a combined net worth of at least fifty thousand dollars or twenty per cent in excess of the amount of the note, whichever is less, and the aggregate unpaid balance owed on loans in excess of two per cent of capital funds shall not exceed five per cent of deposits, and provided that (2) total obligations in unsecured notes of any one person shall be limited to not more than twenty-five hundred dollars exclusive of interest or discount, if the guaranty fund of the bank is not full or is impaired, and provided that (3) a bank which takes under this paragraph a note payable on de-

mand shall demand payment of said note not later than one year from the date thereof, but may accept a new note in payment of such demand note.

**266:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 267.

### AN ACT AUTHORIZING SCHOOL DISTRICTS TO PROVIDE LIFE AND HEALTH INSURANCE FOR THEIR EMPLOYEES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**267:1 Life and Health Insurance.** Amend RSA 194:3 as amended by 1959, 164:1 by inserting in line seven after the word "determine" the following words (to provide group plan life, accident, medical, surgical and hospitalization insurance benefits, or any combinations of such benefits, for all regular employees of the district and their dependents, the cost thereof to be borne in whole or in part by the district) so that said section as amended shall read as follows: **194:3 Powers of Districts.** School districts may raise money, as required by law, or, in addition thereto, to procure land for schoolhouse lots and for the enlargement of existing lots; to build, purchase, rent, repair or remove schoolhouses and outbuildings, and buildings to be used for occupancy by teachers in the employ of such school district; to procure insurance against such risks of loss, cost or damage to itself, its employees or its pupils as its school board may determine; to provide group plan life, accident, medical, surgical and hospitalization insurance benefits, or any combinations of such benefits, for all regular employees of the district and their dependents, the cost thereof to be borne in whole or in part by the district; to plant and care for shade and ornamental trees upon schoolhouse lots; to provide suitable furniture, books, maps, charts, apparatus and conveniences for schools; to purchase vehicles for the transportation of children; to provide for health and sanitation, and to pay debts.

**267:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]



**CHAPTER 268.****AN ACT RELATING TO SERVICE OF PROCESS ON REPRESENTATIVES OF  
DECEASED NON-RESIDENT MOTOR VEHICLE OPERATORS**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**268:1 Service of Process; Deceased Persons.** Amend RSA 264:2 by inserting at the end of said section the following (In the event that the notice and copy of the process cannot be delivered to the defendant because he has deceased at the time of the accident or thereafter, the notice and copy of process shall be sent to the executor or administrator of the deceased defendant's estate, if one has been appointed. If no executor or administrator has been appointed, the plaintiff may petition the superior court for the appointment of a guardian ad litem for such deceased defendant, and upon appointment of such guardian ad litem, the notice and copy of process shall be sent to such guardian ad litem.) so that said section as amended shall read as follows: **264:2 Service of Process.** Service of such process shall be made by leaving a copy thereof with a fee of two dollars in the hands of the director or in his office, and such service shall be sufficient, provided that notice thereof and a copy of the process are forthwith sent by registered mail by the plaintiff or his attorney to the defendant, and the defendant's return receipt and the affidavit of the plaintiff or his attorney with compliance therewith are appended to the writ and entered therewith. In the event that the notice and copy of process are not delivered to the defendant the superior court may order such additional notice, if any, as justice may require. In the event that the notice and copy of process cannot be delivered to the defendant because he has deceased at the time of the accident or thereafter, the notice and copy of process shall be sent to the executor or administrator of the deceased defendant's estate, if one has been appointed. If no executor or administrator has been appointed, the plaintiff may petition the superior court for the appointment of a guardian ad litem for such deceased defendant, and upon appointment of such guardian ad litem, the notice and copy of process shall be sent to such guardian ad litem.

**268:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

**CHAPTER 269.**

AN ACT INCREASING THE PENALTY FOR MISUSING OR MUTILATING NATIONAL AND STATE FLAGS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**269:1 Penalty Increased.** Amend RSA 573 by striking out section 5 and inserting the following: **573:5 Penalty.** Whoever violates any of the foregoing provisions shall be fined not more than one thousand dollars, or imprisoned not more than six months, or both.

**269:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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**CHAPTER 270.**

AN ACT RELATING TO PESTICIDES CONTROL.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**270:1 Composition of Board.** Amend paragraph I of RSA 149-D:2 (supp) as inserted by 1965, 368:1 by striking out said paragraph and inserting in place thereof the following: I. A pesticides control board is established to consist of the commissioner of agriculture, the director of the division of public health services, the director of the division of resources development, the director of the fish and game department, the state entomologist, the executive director of the water pollution commission, and four members appointed by the governor with the consent of the council each for a term of three years and until his successor is appointed and qualified. Of the original appointments one member is for a term of one year, two for a term of two years, and one for a term of three years. The governor, with the consent of the council, shall make his appointments as follows: one from the general public (not in any of the following two categories): one person from a slate of three persons presented by the New Hampshire Horticultural Society; one person from a slate of three persons presented by the New Hampshire Arborists Association; and one a recognized ecologist, preferably holding a doctorate in ecology. The executive director of the water pollution commission shall act as executive secretary to the board and shall coordinate for the board the information and data developed by the water pollution commission and department of agriculture relating to this chapter. The board shall

choose its own chairman. The four members appointed by the governor and council are not entitled to compensation for their services, but may receive reimbursement for their necessary traveling and other expenses while engaged in actual work of the board, and shall be paid from the monies appropriated for the purposes of this chapter.

**270:2 Definition.** Amend RSA 149-D:3 (supp) as inserted by 1965, 368:1 by inserting after paragraph V the following new paragraph: VI. "Person" means any individual, firm, partnership, corporation, company, society, association, or any organized group of persons whether incorporated or not and every officer, agent or employee thereof. This term shall import either the singular or plural as the case may be.

**270:3 Registration of Commercial Applicators.** Amend paragraph I of RSA 149-D:4 (supp) as inserted by 1965, 368:1 by striking out said paragraph and inserting in place thereof the following: I. Any person who engages in commercial application of pesticides within this state must register with the board. An annual fee of ten dollars shall be collected by the board for each registration. Each application for registration shall contain such information regarding the applicant's qualifications and proposed operations and other relevant matters as the pesticides control board may require. Every person applying for a registration certificate will be required to pass an examination prepared and administered by the board. The board shall require from each applicant proof of financial responsibility in amounts to be determined under regulations as made by the board. An applicant for renewal shall submit a simple, accurate record of his use of pesticides for the preceding calendar year. Upon submission of records as required, the board shall issue a certificate of registration. The board shall maintain a complete up-to-date list of registered applicators and permit holders and their use of pesticides.

**270:4 Permits.** Amend paragraph II of RSA 149-D:4 (supp) as inserted by 1965, 368:1 by striking out said paragraph and inserting in place thereof the following: II. Any person, other than a commercial applicator, applying pesticides upon crops, land, waters or forest of this state whether federal, state, municipally or privately owned, shall not be required to be registered, but shall be issued without cost a written permit by the pesticides control board upon his furnishing satisfactory evidence to the board of adequate knowledge of pesticides and their use, and for renewal a simple, accurate record of the applicant's use of pesticides for the preceding calendar year.

**270:5 General Regulations.** Amend RSA 149-D:7 (supp) as inserted by 1965, 368:1 by inserting after paragraph III the following new paragraph: IV. Regulations as are deemed necessary to carry out the provisions of this chapter.

**270:6 Exemptions.** Amend paragraph II of RSA 149-D:9 (supp) as inserted by 1965, 368:1 by striking out said paragraph and inserting in

place thereof the following: II. The application of pesticides within, around, under, or in the immediate vicinity of buildings by the property owner, providing crops raised therein or thereon are not offered for sale. However, a person applying pesticides as allowed by this paragraph shall not allow any pesticides to enter any stream or body of water by reason of such an application.

**270:7 Use of Fees.** Amend RSA 438:6 (supp) as amended by 1965, 368:3 by striking out the statutory reference "149-C" in line five and inserting in place thereof the statutory reference (149-D) so that said section as amended shall read as follows: **438:6 Fees.** The registrant shall pay an annual fee of ten dollars for each economic poison registered. The fees collected under this section constitute a special pesticide control fund, which does not lapse but may be used at any time to carry out the provisions of this chapter and the provisions of chapter 149-D of RSA.

**270:8 Arborists.** Amend RSA 222:2 (supp) as amended by 1961, 223:3 and by 1965, 368:4 by striking out the statutory reference "RSA 149-C:3 (II)" in line fourteen and inserting in place thereof the statutory reference (RSA 149-D:3 (II)), and by striking out the statutory reference "RSA 149-C:5 (III)" in line fifteen and inserting in place thereof the statutory reference (RSA 149-D:5 (III)) so that said section as amended shall read as follows: **222:2 Board of Examiners.** The director of the division of resources development, department of resources and economic development, the commissioner of agriculture, and the entomologist of the agricultural experiment station shall constitute a board for the examination of arborists. If they are satisfied, on examination of an applicant, that he is qualified to improve, protect, and preserve fruit, shade, ornamental, and forest trees, they may issue a certificate stating that he is a registered arborist. Such certificate shall expire at the close of the calendar year unless sooner revoked as provided in section 3, and may be renewed by the board for succeeding years without further examination upon the payment of the required fee. Any person, firm, or corporation receiving such certificate shall be responsible for the acts of all employees in the performance of such work. One member of each crew operating a piece of equipment applying pesticides as defined in RSA 149-D:3 (II) must be registered as required by RSA 149-D:5 (III). As a condition for the renewal of a certificate, the board of examiners of arborists shall require the certificate holder to submit for filing with the pesticides control board his records of the previous year's application of pesticides the same as required from persons holding a registration or permit from the pesticides control board.

**270:9 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

CHAPTER 271.

AN ACT ENABLING RESIDENTS TEMPORARILY OUTSIDE THE UNITED STATES  
TO REGISTER.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**271:1 Procedure Established.** Amend RSA 55 by inserting after section 23 the following new sections:

**55:24 Absentee Registration.** Any person who is a legal resident of any town in this state and qualified to vote therein at the next subsequent biennial election to be held in said town except for the fact that his name does not appear on the checklist to be used at such election, and who is temporarily residing outside the United States for reasons of education or business, may cause his name to be added to such checklist as hereinafter provided.

**55:25 — Application; Forms.** Any such person may, not later than ninety days prior to such election, apply to the secretary of state for an absentee registration affidavit. Such affidavit shall be prepared by the secretary of state, and shall be in substantially the following form:

**Affidavit**

I, ....., do hereby depose  
as follows:

1) That I am a legal resident of the town of .....,  
New Hampshire, of the age of twenty-one years or over and am entitled  
to vote in the biennial election to be held in said town in November,  
19....., except for the fact that my name does not appear on the checklist  
to be used in said town at such election;

2) That I do not intend to be present within the United States at  
such time prior to said election as shall enable me personally to appear  
before the supervisors of the checklist of said town in their regular sessions  
for the correction of the checklist for said election;

3) That for reasons of education or business, I am temporarily residing in ..... (city, province and country); and

4) That I hereby make application for the addition of my name to  
the checklist of said town to be used at said election.

.....  
signature of applicant

There shall be printed below the foregoing affidavit the following  
certificate:

Certificate

I, \_\_\_\_\_, a diplomatic or consular officer of the United States serving in the country of \_\_\_\_\_, do hereby certify as follows:

a) That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the above-named \_\_\_\_\_, having satisfied me as to his identity, subscribed the foregoing affidavit in my presence, and did before me swear to (or affirm) the truth of the statements therein contained;

b) That I chose at random five lines of the constitution of the United States, printed in English, which said lines the deponent read to me in a satisfactory manner; and

c) That he copied in his own hand and in a satisfactory manner, one line of said constitution.

\_\_\_\_\_  
signature of officer  
  
\_\_\_\_\_  
title

Such affidavit and certificate shall be forwarded directly to the applicant by the secretary of state.

**55:26 — Execution; Submission; Effect.** Such affidavit shall be executed before a diplomatic or consular officer of the United States serving in the country in which the applicant is temporarily residing. Such officer, upon compliance with the tenor of said certificate, shall execute the same, subjoining thereto proof of his official capacity, and shall forward the affidavit and certificate to the secretary of state who shall transmit them to the town clerk of the town named for submission to the supervisors of the checklist of said town. Unless the supervisors shall be of the opinion that the applicant is not a legal resident of the town, they shall, at their next session for the correction of the checklist for such election subsequent to their receipt of such affidavit and certificate properly executed, cause his name to be added to said checklist. Thereafter such person shall be entitled to vote at such election, either in person or by absentee ballot, as if he had appeared personally before the supervisors.

**271:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]  
[Effective date August 26, 1967.]

**CHAPTER 272.**

AN ACT TO AUTHORIZE THE ISSUANCE OF VARIABLE ANNUITIES CONTRACTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**272:1 Purpose.** Amend RSA 401:1, III by inserting at the end thereof the words (including variable annuities) so that the paragraph as amended shall read as follows: III. On the lives of persons and every insurance pertaining thereto or connected therewith, including endowments, and to grant, purchase, or dispose of annuities, including variable annuities.

**272:2 Separate Accounts and Variable Annuity Contracts.** Amend RSA 408 by inserting after section 22 the following new subdivisions:

**Separate Accounts**

**408:23 Definition.** A "separate account" shall mean a segregated investment account maintained by an insurance company in accordance with RSA 408:24 to 408:27, inclusive.

**408:24 Authorization.** Any domestic life insurance corporation may establish one or more separate accounts and may allocate thereto, pursuant to the terms of written agreements with policyholders, any amounts which are paid to or held by such company in connection with a pension, retirement or profit-sharing plan, for the purpose of providing retirement benefits under such company's policies or contracts, payable in fixed amounts, and other benefits incidental thereto.

**408:25 Operation of Separate Accounts.** The income, if any, and the gains or losses, realized or unrealized, on each separate account may be credited to or charged against the amount allocated to the separate account in accordance with such agreement, without regard to other income, gains or losses of the company. Notwithstanding any inconsistent provision in its charter or in any section of the general statutes, the amounts allocated to such accounts and accumulations thereon may be invested and reinvested in any class of loans and investments specified in such agreement, and such loans and investments shall not be included in applying the limitations provided in RSA 411:19 (a).

**408:26 Company Not a Trustee.** Amounts allocated by an insurance company to separate accounts in the exercise of the power granted by this chapter shall be owned by the company, and the company shall not be, or hold itself out to be, a trustee in respect to such amounts.

**408:27 Limitations.** The provisions of RSA 408:23 to 408:26, inclusive, shall not apply to any amounts while such amounts are applied to the purchase of fixed retirement benefits, or other benefits incidental thereto, under the policies or contracts of such company.

### Variable Annuity Contracts

**408:28 Definition.** A "variable annuity contract" shall mean any contract issued by an insurance company which provides that the dollar amount of benefits or other contractual payments thereunder will vary so as to reflect investment results of any segregated portfolio of investments or of a designated account in which amounts received in connection with such contracts have been placed. Variable annuity contracts shall not be deemed subject to RSA Chapter 421.

**408:29 Contract Provisions.** Any variable annuity contract issued or delivered in this state and any certificate evidencing variable benefits issued pursuant to any such contract on a group basis shall contain a statement of the essential features of the procedure to be followed by the insurance company in determining the dollar amount of the variable benefits or other contractual payments or values thereunder and shall state in clear terms that such amount may decrease or increase according to such procedure. Any such contract issued or delivered in this state and any such certificate shall contain on its first page, in a prominent position, a clear statement that the benefits or other contractual payments or values thereunder are on a variable basis.

**408:30 Separate Accounts.** Any domestic life insurance corporation which issues variable annuity contracts shall establish one or more separate accounts known as variable annuity accounts. Any amounts received by the company which are required by the variable annuity contracts to be applied to provide variable benefits shall be added to the appropriate variable annuity account, and the assets of any such variable annuity account shall not be chargeable with liabilities arising out of any other business the company may conduct. The company shall not, however, be a trustee with respect to such amounts. If at any time there should be a deficit in any such variable annuity account because of mortality experience, the company shall make additions to such an account, at least as often as annually, so that the assets of such account shall be sufficient to satisfy the company's mortality obligation for such variable benefits. If at any time there should be a surplus in any such variable annuity account because of mortality experience, the company may make withdrawals from such an account, not more frequently than annually, so that the assets of such account shall equal the amount required to satisfy the company's mortality obligation for such variable benefits.

**408:31 Limitations.** Investments and liabilities of the variable annuity account shall at all times be clearly identifiable and distinguishable from the other investments and liabilities of the corporation. No investments of a variable annuity account shall be pledged or transferred as collateral for a loan.



**408:32 Investments.** The assets of a variable annuity account may be invested in any real estate or tangible or intangible personal property which is a legal investment for a life insurance company, and in addition such assets may be invested wholly or partly in common stocks, in preferred stocks or in other equities which are, at the time of their purchase, either listed or admitted to trading on a security exchange located in the United States of America or Canada, or are publicly traded on the over-the-counter market and as to which market quotations are available, provided that no more than five percent of the assets in any variable annuity account may be invested in the securities of any one company and not more than ten percent of any class of securities of any company shall be acquired. The valuation of variable annuity account assets for all purposes shall be determined in accordance with the current market value of such assets notwithstanding the application of other valuation methods to assets of the corporation other than assets of the variable annuity account. Such valuations shall be made as of the same day in each month as shall be specified by such corporation.

**408:33 Reserves.** The reserve liability for contracts on a variable basis shall be established by the insurance commissioner pursuant to the requirements of chapter 410, RSA, the Standard Valuation Law, in accordance with actuarial procedures that recognize the variable nature of the benefits provided.

**408:34 Deposit of Securities.** Any corporation organized under the laws of this state which has been authorized by the commissioner to issue variable annuity contracts shall deposit all securities representing the assets of a segregated fund for a variable annuity account and all uninvested cash of such a fund with a custodian which shall be a bank or trust company, either within or without the State of New Hampshire, approved by the commissioner. The deposit required by this section shall, for any such fund, be in lieu of the deposit required by RSA 411:8.

#### **Registration of Insurance Corporations Authorized to Issue Variable Annuity Contracts**

**408:35 Registration Required.** Only a life insurance corporation licensed to do business in this state may, in this state, by direct solicitation or through agents or salesmen, or by letter, circular, or advertising sell, offer for sale, or invite offers for or inquiries about variable annuity contracts and only if it is registered to do so under the provisions of this chapter.

**408:36 Application; Fee.** Any such life insurance corporation desiring registration shall file written application therefor with the insurance commissioner, accompanied by a registration fee of fifty dollars, the fee to be returned if the application is not granted.

**408:37 Form, etc.** The application shall be in such form as may be prescribed by the commissioner, and shall state in writing the principal place of business, the name or style of doing business, the date from which it has been licensed to do the business of life insurance in this state and such other documentary evidence of condition and responsibility as the commissioner may require to determine the applicant's good repute. The commissioner may make such other and further investigation thereof as he may deem desirable.

**408:38 Registration.** Upon being satisfied of the applicant's good repute, financial standing, reliability, and right to public confidence, the commissioner shall register the applicant to issue variable annuity contracts.

**408:39 Hearing.** If the commissioner shall not be satisfied of the applicant's good repute, or if such objection shall be made, the commissioner shall give notice of either fact to the applicant, and upon request from him shall fix a time and place for hearing, of which fourteen days' notice shall be given by mail to the applicant and to the objectors. At such hearing opportunity shall be given to said applicant and to any other persons interested or objecting, to offer further evidence as to the applicant's character and repute. If satisfied as a result of such hearing of the applicant's good character and repute in business the commissioner shall thereupon register the applicant to issue variable annuity contracts.

**408:40 Certificate.** Upon registration of any insurance corporation to issue variable annuity contracts, a certificate shall be issued stating the name, principal place of business, and address of the registrant, the names, residences, and business addresses of all persons interested in the business as principals, officers, directors, or managing agents, and the fact that the registrant has been registered as a life insurance corporation authorized to issue variable annuity contracts. The certificate shall in other respects be in such form as the commissioner may determine, but shall state in bold type that the commissioner does not recommend and assumes no responsibility for, variable annuity contracts offered by the registrant. Certified copies of this certificate shall be furnished to the registrant at one dollar each.

**408:41 Changes in Certificate.** Changes in the certificate necessitated by changes in the personnel of the principals, officers, directors, or managing agents of any registrant, may be made at any time upon written application to the commissioner, accompanied by a statement of change within five days after such a change is made. Upon the issue of the amended certificate the original certificate shall be promptly surrendered to the commissioner for cancellation.

### Registration of Agents and Salesmen

**408:42 Registration Required.** No salesman or agent shall in this state, in behalf of any insurance corporation authorized to issue variable annuity contracts, sell, offer for sale, or invite offers for or inquiries about variable annuity contracts unless registered as a salesman or agent of such insurance corporation under the provisions of this chapter. As a condition to such registration the commissioner can require that a salesman or agent pass a written examination.

**408:43 Application.** Upon written application by a registered insurance corporation, accompanied by a registration fee of fifteen dollars for each person, the commissioner shall, if he is satisfied that they are suitable persons, register, as agents or salesmen of such insurance corporation, such persons as the said insurance corporation may request.

**408:44 Form.** The application shall be in such form as the commissioner may prescribe, and shall state the residences and addresses of the persons whose registration is requested.

**408:45 Certificate.** The commissioner shall issue to each person so registered a registration certificate stating his name, residence, and address, the name, principal place of business, and the address of the registered insurance corporation, and the fact that he is registered as agent or salesman of the said corporation. The certificate shall in other respects be in such form as the commissioner shall determine, but shall state in bold type that the commissioner does not recommend or assume any responsibility for variable annuity contracts offered by the registered insurance corporation or the said corporation's agents or salesmen.

**408:46 Cancellation of Registrations.** Upon application by the registered insurance corporation the registration of any agent or salesman shall be cancelled.

### Expirations and Renewals

**408:47 Expiration of Registrations.** All registrations of life insurance corporations authorized to issue variable annuity contracts or agents shall expire annually on the last day of the month of February.

**408:48 Renewal of Registrations.** New registration of any such corporations for the succeeding year may be issued as of course without the filing of further statements or furnishing any further information, unless specifically requested by the commissioner, upon written application of the said insurance corporation and payment of fifty dollars for each registration.

**408:49 Renewal of Agent's Registration.** Registration of an agent may be renewed from year to year, upon the request of the insurance corporation authorized to issue variable annuity contracts and the payment of fifteen dollars.

### **Examinations, and Revocation and Suspension Registrations**

**408:50 Examination.** The commissioner may require an insurance corporation authorized to issue variable annuity contracts to file with him copies of all variable annuity contract forms which it is at the time offering or is about to offer for sale or any other facts he may deem pertinent in relation to any of the variable annuity contracts offered or to be offered by the registrant; and may require the filing of copies of any or all printed or otherwise reduplicated circulars or printed advertisements relating to variable annuity contracts which the registrant has within six months offered for sale, or shall thereafter offer for sale.

**408:51 Prohibiting Sales.** If the commissioner is of the opinion that any such variable annuity contract is of such a character that there is a serious financial danger to the purchaser in buying it, or that the circulars and advertisements do not disclose pertinent facts sufficient to enable intending purchasers to form a correct judgment of the nature and value of the variable annuity contract, he may prohibit the registrant from selling or offering the said variable annuity contracts, or in any way advertising the same.

**408:52 Qualification of Variable Annuity Contracts.** No registered insurance corporation or its salesmen or agents shall sell or offer for sale any form of variable annuity contract unless the sale of such form of contract has been approved by the commissioner. Such a corporation desiring to qualify such variable annuity contract form shall submit to the commissioner such descriptive statistical, or documentary information as he may require. The commissioner shall after examination of such information approve or disapprove the sale of such variable annuity contract in the said form. A fee of twenty-five dollars shall be charged for the examination of material submitted to obtain the qualification of a new variable annuity contract form. The commissioner may prescribe rules and regulations, consistent with the character of variable annuities as insurance contracts, to carry out the purposes hereof, including the right to require by regulation that the sales load of such contracts, computed over the entire period during which the annuitant is to pay premiums in order to derive full benefit of the annuity, shall not exceed nine percent of such payments, that not more than one-half of any of the first year's scheduled payments is deducted for sales load and that the first premium payment will not be less than twenty dollars nor any subsequent premium payment will not be less than ten dollars and including the right to make all other necessary rules and regulations consistent with this chapter.

**408:53 Revocation, Insurance Corporation.** The commissioner may, unless furnished with satisfactory evidence as provided in the preceding sections, or in case of violation of any provision of this chapter, or in

any case of dishonest, deceitful, or fraudulent conduct on the part of any insurance corporation authorized to issue variable annuities in connection with the carrying on of the business, revoke such corporation's registration, and may, having reasonable cause to believe that such facts exist, suspend such corporation's registration until satisfied to the contrary.

**408:54 Effect.** The revocation or suspension of the insurance corporation's registration shall constitute a revocation or suspension of the registration of any of its agents or salesmen.

**408:55 Revocation, Agent, etc.** The commissioner may, in case of violation of any provision of this chapter, or in case of dishonest, deceitful, or fraudulent conduct on the part of any agent or salesman in connection with the business, revoke such agent's or salesman's registration; and may, having reasonable cause to believe that such facts exist, suspend the agent's or salesman's registration until satisfied to the contrary.

**408:56 Effect of Revocation.** In any case of the revocation or suspension of a registration the insurance corporation, agent or salesman shall not be regarded as registered under the provisions of this chapter until restored to registration by the commissioner.

#### Miscellaneous Provisions

**408:57 Information to Be Furnished.** The commissioner shall at any time on request, by mail or otherwise, inform any inquirer as to any individual, partnership, corporation, or association which is registered either as insurance corporation authorized to issue variable annuity contracts, agents or salesman.

**408:58 Limitations.** No limitations on the authority of the agent of any insurance corporation authorized to issue variable annuity contracts, not customary in the business, shall be effective to protect the insurance corporation from liability to innocent third persons dealing with such agent.

**408:59 Possession of Certificate.** Any insurance corporation authorized to issue variable annuity contracts and any person named in a registration certificate as above provided may, in behalf of any such corporation, sell, offer for sale or invite offers for or inquiries about variable annuity contracts in this state, but shall at all times when so engaged carry with him the registration certificate, or a copy thereof certified by the commissioner, which shall at any time be shown to any prospective customer upon request.

**408:60 Advertising Registration.** No insurance corporation authorized to issue variable annuity contracts, agent or salesman shall advertise publicly the fact of his registration, or use such fact or the registration

certificate in connection with any sale or effort to sell variable annuity contracts, except by statement of the fact or by exhibiting the certificate or a certified copy thereof.

**408:61 Notice of Commissioner's Requirements or Decisions.** Notice of any requirement or decision of the commissioner shall be sufficient if sent by mail addressed to the insurance corporation authorized to issue variable annuity contracts, agent or salesman, as the case may be, at the address designated in the application for registration.

### Penalties

**408:62 False Statement.** Whoever violates any provisions of sections 28 through 61 of this chapter, or knowingly files with the commissioner or furnishes to him any false or misleading statements or information, shall be fined not more than three thousand dollars, or imprisoned not more than five years, or both.

**408:63 Evidence.** Such false or misleading statements or information so furnished shall be evidence that any sales of such variable annuity contracts made thereafter were made on false representation, in a suit to recover damages, on account of loss sustained through the purchase thereof.

**272:3 Effective Date.** This act shall take effect January 1, 1968.  
[Approved June 27, 1967.]  
[Effective date January 1, 1968.]

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## CHAPTER 273.

AN ACT AUTHORIZING THE HILLSBOROUGH COUNTY REGISTER OF PROBATE  
TO DEPUTIZE PERSONS FOR SPECIAL ASSIGNMENTS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**273:1 Appointment of Deputy Registers of Probate for Hillsborough County.** Amend RSA 548 by inserting after section 14 the following new section: 548:14-a **Other Deputy Registers.** The Hillsborough county register of probate may deputize a person for a specific assignment. Such deputies shall not be included under RSA 548:19 or RSA 94:1.

**273:2 Effective Date.** This act shall take effect sixty days after its passage.  
[Approved June 27, 1967.]  
[Effective date August 26, 1967.]

**CHAPTER 274.**

AN ACT RELATIVE TO EXCAVATING AND DREDGING IN PUBLIC WATERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**274:1 Excavating and Dredging in Public Waters.** Amend RSA by inserting after chapter 488 the following new chapter:

**Chapter 488-A**

**Excavating and Dredging in Public Waters**

**488-A:1 Excavating and Dredging.** No person, firm, or corporation shall excavate, remove, or dredge any bank, flat, marsh, swamp, or lake bed that lies below the natural mean high water level of any public waters of this state, except as provided in this chapter. For the purposes of this chapter, public waters are defined as all natural ponds of more than ten acres. Upon the request of the owner of land abutting any public waters, the water resources board shall determine the natural mean high water level of the abutting public water. The provisions of this chapter do not apply to any land above the natural mean high water level of public waters or to any land below any artificially created high water level of any body of water.

**488-A:2 Grant of Right.** The governor and council, upon petition and upon the recommendation of the water resources board, may, for just consideration, grant to an owner of a shore line on public waters the right to excavate, remove, or dredge any bank, flat, marsh, swamp or lake bed before his shore line. Every petition to excavate or dredge said areas shall be referred to the water resources board, and said board after thirty days notice to abutters, and to the selectmen of the town or mayor and council of the city in which the property is situate, and to the commissioner of fish and game, and to the water pollution commission, and to the department of public works and highways, and to the department of planning and research, and to the division of parks, and to the division of public health shall hold a public hearing, at which a majority of the members of the water resources board shall be present, notice of which shall be published twice in two different weeks, the last publication to be seven days before the hearing, in one newspaper of general circulation throughout the state and another newspaper of general circulation in the town or city, and notice posted in two public places in the town or city and upon appropriate investigation shall make its recommendations to the governor and council with regard to such petition. If the board recommends that the petition be granted, in whole or in part, such recommendation shall include appropriate specifications and conditions necessary to the protection of public rights and to the protection of the rights and privileges of persons owning land in the vicinity of the area to be excavated or dredged by the petitioner.

**488-A:3 Penalty.** Any person, firm, or corporation who violates any provision of this chapter shall be subject to a fine not to exceed one thousand dollars and may be compelled to return said land to its original condition by the superior court upon a petition brought by the attorney general at the request of the water resources board.

**488-A:4 Fees.** Any payment received by the state as determined by the governor and council under the provisions of this chapter shall be paid over to the state treasurer and shall be deposited in the general funds of the state.

**488-A:5 Hearing Costs.** The petitioner shall make a deposit of fifty dollars with each petition to pay for the expenses of publication, mailing, and posting of notices, and for the expenses of hiring a hearing site, if a hearing outside of Concord is necessary. If these expenses are more than fifty dollars, the board shall require the petitioner to pay the additional expenses before it sends its recommendations to the governor and council with regard to the petition.

**274:2 Effective Date.** This act shall take effect upon its passage.  
[Approved June 27, 1967.]  
[Effective date June 27, 1967.]

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## CHAPTER 275.

AN ACT RELATIVE TO RATES FOR INMATES OF PUBLIC INSTITUTIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**275:1 Rate.** Amend RSA 8:44 by striking out said section and inserting in place thereof the following:

**8:44 Regular Rate.**

I. The director of mental health shall determine for any patient or inmate of the New Hampshire Hospital:

(a) a uniform monthly rate to cover the expenses of intensive care, treatment, and maintenance;

(b) a uniform monthly rate to cover the expenses of custodial care, treatment, and maintenance.

II. The director of mental health shall determine a uniform monthly rate to cover the expenses of care, treatment, and maintenance of any patient or inmate of the Laconia State School.



III. The director of public health shall determine and establish a monthly rate to be charged to patients of the state sanatorium receiving care, treatment, and maintenance at his discretion.

IV. After any person has been a resident patient or inmate in any such institution for ten years, the weekly rate shall in no event be more than thirty dollars, excepting patients or inmates who have income from social security, retirement, civil service or Veterans Administration income, trust fund or other income which is sufficient to pay the full rate or a higher partial rate.

**275:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 27, 1967.]

[Effective date June 27, 1967.]

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## CHAPTER 276.

AN ACT TO AUTHORIZE COURTS TO REVOKE MOTOR VEHICLE LICENSES FOR CAUSE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**276:1 Motor Vehicle Licenses.** Amend RSA 262 by inserting after section 44, as inserted by 1965, 274:2, the following new section: **262:45 Revocation or Suspension by Justice.** Any justice of a district or municipal court or of the superior court may suspend or revoke any license issued to any person, for a period not to exceed seven days, after a conviction of a violation under the provisions of this title, after due hearing, for any cause which he may deem sufficient.

**276:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 277.

AN ACT TO PROVIDE BENEFITS FOR MEMBERS OF THE NATIONAL GUARD INJURED WHILE ON FEDERAL OR STATE DUTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**277:1 Injury of Members of Militia.** Amend paragraph I of RSA 110-A:47 as inserted by 1957, 147:1 by striking out the paragraph and

inserting in place thereof the following: I. If any member of the national guard who is on duty pursuant to this chapter or on any active or inactive duty for training within or without the state pursuant to the laws of the United States, receives a personal injury or an injury as defined in RSA 281:2, III, and if the benefits provided by the federal government or national guard system as a result of the injury are less than the benefits provided by the workmen's compensation law, the member shall receive benefits so that the total benefits received under the federal and national guard system and the benefits provided by this section shall be equal to the benefits which the member would have received under the workmen's compensation law, if the injury had occurred on the last day of the member's regular employment previous to reporting for duty with the national guard.

**277:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 278.

AN ACT RELATIVE TO RESTRICTIONS ON NIGHT WORK BY FEMALES AND MINORS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**278:1 Hours of Labor.** Amend RSA 275 by inserting after section 17 the following new section: **275:17-a Special Agreement.** By mutual agreement between employer and employees, the provisions of section 17 relative to restrictions on night work for such minors or females may be relaxed provided the agreement is approved by the labor commissioner.

**278:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 279.

AN ACT RELATIVE TO THE FORM OF BALLOTS FOR BIENNIAL ELECTIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**279:1 Number for Office.** Amend RSA 59:6 (supp) as amended by 1963, 105:1 by striking out said section and inserting in place thereof the

following: **59:6 Designation of Office.** Immediately to the left of each set of party columns shall be printed a column in which shall be printed the political designation of the office for which the candidates whose names are listed in the party columns to the right have been nominated, as "For Governor" and the like, and below such political designation of each office shall be printed in small but easily legible letters "Vote for any (here insert a spelled number designating how many persons are to be voted for)".

**279:2 Eliminate Designation of Office.** Amend RSA 59:8 by striking out in lines two and three thereof the words "shall be printed in the regular order the political designation of each office, and beneath each designation there", and by inserting in line five thereof after the words "elected to" the word (each) so that said section as amended shall read as follows: **59:8 Blanks.** In the last or right-hand column of each ballot there shall be no circle or device, but there shall be left as many blank lines, without squares at the end thereof, as there are persons to be elected to each such office.

**279:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 280.

### AN ACT RELATIVE TO TOWN ROAD AID.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**280:1 Town Road Aid.** Amend RSA 241:2 (a) (supp) as amended by 1957, 273:3 and 1965, 261:1 by striking out in line two the words "one million two hundred fifty thousand dollars" and inserting in place thereof the words (one million four hundred thousand dollars) so that said subsection as amended shall read as follows: (a) Apportionment A. The commissioner shall apportion, on the basis of a sum of not less than one million four hundred thousand dollars, to each city, town and unincorporated place, an amount based on the proportion which the mileage of the regularly maintained Class IV and Class V highways in that city, town or unincorporated place as of January 1 of the previous year, bears to the total mileage of the regularly maintained Class IV and Class V highways in the state as of that date. Any city or town issuing bonds or long term notes to accelerate the improvement of its Class IV and Class V highways may apply any part of the funds herein apportioned, for a period not to exceed five years or with the approval

of the commissioner for a period not to exceed ten years, to aid in the retirement of such bonds or notes.

**280:2 Effective Date.** This act shall take effect July 1, 1968.

[Approved June 27, 1967.]

[Effective date July 1, 1968.]

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## CHAPTER 281.

AN ACT RELATIVE TO PENALTIES FOR DRIVING A MOTOR VEHICLE WITHOUT  
A VALID LICENSE AND FOR MISUSE OF NUMBER PLATES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**281:1 Operating after Revocation; Misuse of Plates.** Amend RSA 262 by inserting after section 27 as amended by 1957, 168:1 the following new sections: **262:27-a Operating Without Valid License.** Any person convicted of operating a motor vehicle in this state without having a valid license, excepting those persons whose licenses are under revocation or suspension, shall be fined not more than one hundred dollars, provided that for the second conviction within the time of one year he shall be fined not less than fifty dollars nor more than two hundred dollars or imprisoned for not more than six months or both.

**262:27-b Operating After Revocation or Suspension.** Any person convicted of operating a motor vehicle in this state after his license to operate has been suspended or revoked shall be imprisoned for not less than two days, which may not be suspended, nor more than six months and there may be imposed in addition thereto a fine of not more than five hundred dollars.

**262:27-c Misuse of Plates.** Any person who knowingly attaches or permits to be attached to a motor vehicle a number plate assigned by the director, or authority of any other jurisdiction, to another vehicle or who knowingly obscures or permits to be obscured the figures or letters on any number plate attached to any motor vehicle or who knowingly and deliberately fails to display on a motor vehicle proper lights, as herein provided, or the number plates and the registration number duly issued therefor shall be fined not more than one hundred dollars or imprisoned for not more than six months, or both.

**281:2 Repeal.** RSA 262:27 as amended by 1957, 168:1, relative to operating after revocation and misuse of plates, is hereby repealed.

**281:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

**CHAPTER 282.**

AN ACT REQUIRING THE DIVISION OF PUBLIC HEALTH SERVICES TO MAKE  
RECOMMENDATIONS TO THE DIRECTOR OF MOTOR VEHICLES WITH  
REFERENCE TO MEDICAL ASPECTS OF LICENSING, ENFORCEMENT,  
AND ACCIDENT INVESTIGATION.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**282:1 Division of Public Health Services; Duty to Advise Director of Motor Vehicles.** Amend RSA 125 by inserting after section 9 as amended by 1961, 222:1 the following new section: **125:9-a Medical Advice to Director of Motor Vehicles.** It shall be the duty of the division of public health services to recommend to the director of motor vehicles the policies and procedures to be followed by the state with respect to all medical aspects of licensing drivers, enforcement, including but not limited to differentiating between ill and intoxicated drivers, and accident investigation, including but not limited to examination of the dead for alcohol and drugs.

**282:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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**CHAPTER 283.**

AN ACT RELATING TO THE DEFINITION OF HIGHWAYS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**283:1 Defined.** Amend RSA 230:1 by inserting in line seven after the words "for twenty years" the words and numbers (prior to January 1, 1968) so that said section as amended shall read as follows: **230:1 Defined.** Highways are only such as are laid out in the mode prescribed therefor by statute, or roads which have been constructed for public travel over land which has been conveyed to a city or town or to the state by deed of a fee or easement interest, or roads which have been dedicated to the public use and accepted by the city or town in which such roads are located, or roads which have been used as such for public travel, other than travel to and from a toll bridge or ferry, for twenty years prior to January 1, 1968, and shall include the bridges thereon.

**283:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

**CHAPTER 284.**

AN ACT EXTENDING UNINSURED OR HIT-AND-RUN MOTOR VEHICLE COVERAGE  
TO INCLUDE MOTOR VEHICLES INSURED BY A COMPANY WHICH IS  
INSOLVENT ON THE DATE OF THE ACCIDENT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**284:1 Form of Policy.** Amend RSA 268:15 as amended by 1957, 305:8 by striking out in lines nine through eighteen the following words "No such policy shall be issued or delivered in this state with respect to a motor vehicle, trailer or semi-trailer registered in this state unless coverage is provided therein or supplemental thereto in amounts or limits prescribed for bodily injury or death for a liability policy under this chapter, under provisions approved by the insurance commissioner, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles, trailers, or semi-trailers and hit-and-run motor vehicles, trailers or semi-trailers because of bodily injury, sickness or disease, including death resulting therefrom." so that said section as amended shall read as follows: **268:15 Policy, Form.** No motor vehicle liability policy, as defined in section 1, shall be issued or delivered in the state, until a copy of the form of the policy has been on file with the insurance commissioner for at least thirty days, unless during said period the insurance commissioner shall have approved in writing the form of the policy nor shall such policy be issued if the insurance commissioner notifies the insurance company in writing that, in his opinion, the form of the policy does not comply with the laws of the state. Notification of his approval or disapproval shall be given in writing within said period. The insurance commissioner shall approve a form of policy which contains the name and address of the insured, a description of the motor vehicles and trailers or semi-trailers covered, with the premium charges therefor, the policy period, the limits of liability as between the insured and the insurance company, and an agreement that insurance is provided in accordance with and subject to the provisions of this chapter. The policy may provide that the insured, or any other person covered by the policy shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms, provisions or conditions of the policy; and further, if the policy shall provide for limits in excess of the limits specified in this chapter, the insurance carrier may plead against any plaintiff, with respect to the amount of such excess limits of liability, any defenses which it may be entitled to plead against the insured, and any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance.

**284:2 Uninsured or Hit-and-Run Motor Vehicle Coverage Extended.**

Amend RSA 268 by inserting after section 15 as amended by 1957, 305:8 the following new section:

**268:15-a Uninsured or Hit-and-Run Motor Vehicle Coverage.**

I. No policy shall be issued or delivered in this state, under the provisions of section 15, with respect to a motor vehicle, trailer or semi-trailer registered in this state unless coverage is provided therein or supplemental thereto in amounts or limits prescribed for bodily injury or death for a liability policy under this chapter, under provisions approved by the insurance commissioner, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles, trailers, or semi-trailers and hit-and-run motor vehicles, trailers or semi-trailers because of bodily injury, sickness or disease, including death resulting therefrom.

II. For the purpose of this coverage the term "uninsured motor vehicle" shall, subject to the terms and conditions of such coverage, be extended to and include an insured motor vehicle where the liability insurer thereof is unable to make payment with respect to the legal liability of its insured within the limits specified therein because of insolvency.

III. An insurer's extension of coverage, as provided in paragraph II, shall be applicable only to accidents occurring during a policy period in which its insured's uninsured motor vehicle coverage is in effect and where the liability insurer of the tort-feasor has been declared to be insolvent by a court of competent jurisdiction as of the accident date, or has been declared to be insolvent by a court of competent jurisdiction within one year after the accident date. Nothing herein contained shall be construed to prevent any insurer from extending coverage under terms and conditions more favorable to its insureds than is provided hereunder.

IV. In the event of payment to any person under the coverage required by this section and subject to the terms and conditions of such coverage, the insurer making such payment shall, to the extent thereof, be entitled to the proceeds of any settlement or judgment resulting from the exercise of any rights of recovery of such person against any person or organization legally responsible for the bodily injury for which such payment is made, including the proceeds recoverable from the assets of the insolvent insurer; provided, however, with respect to payments made by reason of the extension of coverage described in paragraphs II and III, the insurer making such payment shall not be entitled to any right of recovery against such tort-feasor in excess of the proceeds recovered from the assets of the insolvent insurer of said tort-feasor.

**284:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

**CHAPTER 285.****AN ACT RELATIVE TO SAVINGS BANK INVESTMENTS IN BUILDINGS SUBJECT TO THE UNIT OWNERSHIP ACT.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**285:1 Investments of Savings Banks.** Amend RSA 387:4 by inserting after paragraph VI as amended by 1955, 214:14 the following new paragraph: VII. Buildings and Units Thereof Subject to Unit Ownership Act. Buildings or units thereof, as defined in RSA 479-A, situated on land leased of another for a term of not less than thirty years shall be construed to be real estate for the purposes of paragraph I.

**285:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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**CHAPTER 286.****AN ACT RELATIVE TO STATE AID FOR CLASS V HIGHWAYS IN TOWNS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**286:1 Town Road Aid.** Amend RSA 241:11 (supp) as amended by 1955, 311:3, 1959, 244:1 and 1965, 247:1 by striking out in lines nine and twelve the words "two hundred fifty thousand dollars" and inserting in place thereof the words (three hundred thousand dollars) so that said section as amended shall read as follows: **241:11 Maintenance Allotment by State.** In addition to any funds hereinbefore apportioned for construction and reconstruction purposes the commissioner, in the month of July in each year, shall allot to each town a sum sufficient, when added to the amount which would be derived by a tax of eleven cents on each one hundred dollars of the town's last equalized valuation, to equal one hundred seventeen dollars for each mile of regularly maintained class V highway in such towns, except that for any year in which the total allocated to the towns under this formula shall be less than three hundred thousand dollars, the commissioner shall use such other figure in place of the one hundred seventeen dollars for each mile of regularly maintained class V highway as may be necessary to make the total allotment not less than three hundred thousand dollars. The sums so allotted shall be used for the care and maintenance of class V highways and for no other purpose, under the supervision of the commissioner, and shall be expended in ac-



cordance with specifications provided by the commissioner under the direction of a person or persons appointed by the selectmen of the town.

**286:2 Effective Date.** This act shall take effect July 1, 1968.

[Approved June 27, 1967.]

[Effective date July 1, 1968.]

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## CHAPTER 287.

AN ACT TO PROVIDE FOR A STUDY OF THE EDUCATIONAL SYSTEM OF THE  
STATE, TO INCLUDE STATE AID TO SCHOOL DISTRICTS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**287:1 Education Study Commission.** An educational organization study commission of seven members is established to examine, evaluate, and make recommendations relating to the educational system of school supervisory unions, cooperative districts, area school systems, and other educational organizations created in 1919 and the changes made since that date. The commission shall be appointed as follows: two members of the house of representatives by the speaker of the house; one member of the senate by the president of the senate; and four by the governor. The members are not entitled to any salary, but are entitled to reimbursement for actual expenses incurred in the performance of their duties under this act.

**287:2 Duties.** The commission shall study, among other things: (1) All programs of state aid, with particular reference to building aid and foundational aid, but not limited to those two; (2) the organization of school districts into supervisory unions; (3) the functions of the supervisory unions and the duties of the superintendent and their assistants; (4) the methods by which school districts are combined into cooperative school districts or area schools; (5) the arrangement and functioning of the educational system governing grades one through twelve; and (6) changes which will work toward better and more satisfactory functioning of our public school system.

**287:3 Report and Recommendations.** The commission shall report to the 1969 assembly of the general court. If it recommends any changes in the statutes governing the educational system, it shall make any requests for drafting to the office of legislative services by October 1, 1968.

**287:4 Appropriations.** The sum of three hundred dollars is appropriated for the purposes of this act. The governor is authorized to draw his warrant for this appropriation out of any money in the treasury not otherwise appropriated.

**287:5 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 288.

### AN ACT EXTENDING THE POWERS OF THE COORDINATING BOARD OF ADVANCED EDUCATION AND ACCREDITATION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**288:1 Coordinating Board.** Amend RSA 186:13-a. as inserted by 1963, 303:16, by striking out said section and inserting in place thereof the following: **186:13-a Coordinating Board of Advanced Education and Accreditation.** A coordinating board of advanced education and accreditation of nine members shall be established with the following membership: The commissioner of education, president of the university of New Hampshire, president of Keene state college, president of Plymouth state college, chairman of the state board of education or his delegated representative, ex officio, and four members to be appointed by the governor, with the consent of the council, one of these four appointive members shall be an educator selected from one of the private institutions of higher learning in New Hampshire. Appointive members of this board shall be appointed for five years each. Of the original appointments two members shall be appointed for three years each and the remaining two shall be appointed for the full five-year term. Thereafter each appointive member shall have a five-year term. Vacancies shall be filled for unexpired terms only. The board is hereby authorized to employ such staff as may be necessary to carry on its work, within the limits of its appropriation. The members of the board, except the ex officio members and any committee of evaluation established by them, shall serve without compensation but may be reimbursed for actual travel and other expenses incurred in the performance of their duties hereunder. The function of the board is to work in an advisory capacity only toward coordinating the activities of higher education in the state including community colleges and work with the New Hampshire members of the New England Board of Higher Education insofar as possible. The board shall evaluate institutions of higher learning wishing to grant degrees or issue diplomas, and make appropriate recommendation to the legislature, except for those exempted in RSA 292:8-h. The procedure and criteria for evaluation will be established by the board. Within five years after an institution in the state of New Hampshire, except for those exempted in RSA 292:8-h, received

authority to grant degrees or issue diplomas or within five years after the effective date of this act for those receiving such authority prior to the establishment of the board, and thereafter at least once every ten years, it shall be evaluated by the board. On the basis of such evaluation, the board shall classify said institution into such category as will indicate its status as to approval and/or accreditation. The procedure and criteria for classification will be established by the board. The board may accept as a basis for classification, in lieu of evaluation by the board, accreditation by a recognized regional or national accrediting association.

**288:2 Application for Establishment.** Amend RSA 292:8-f as inserted by 1965, 44:1 by striking out the words "Such application shall be made at least four months prior to the legislative session," in lines four and five so that said section as amended shall read: **292:8-f. Submission of Plans.** Any person desiring to establish an institution of higher learning shall submit to the board, at the time approval is requested for its articles of incorporation, its plans which shall be evaluated by the board prior to granting its certificate. Such evaluation shall include among other things the adequacy of the buildings or proposed buildings, instructional facilities and provisions for safety and well-being of its students, the qualifications of the faculty; the character of the program of studies and the adequacy of financial resources.

**288:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 289.

AN ACT ADOPTING THE UNIFORM ACT ON STATUS OF CONVICTED PERSONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**289:1 Status of Convicted Persons.** Amend RSA by inserting after chapter 607 the following new chapter:

### Chapter 607-A

#### Uniform Act on Status of Convicted Persons

**607-A:1 Definition.** In this chapter, "felony" means:

I. A crime committed against the laws of this state or of the federal government for which a sentence of death or imprisonment in the state prison or a federal prison or penitentiary; or

II. A crime committed against the laws of another state for which a sentence of death or imprisonment in a prison or penitentiary is imposed, if the act would permit a sentence of death or imprisonment in the state prison in this state had it been committed in this state.

**607-A:2 Rights Lost.**

I. A person sentenced for a felony, from the time of his sentence until his final discharge, may not:

(a) vote in an election, but if execution of sentence is suspended with or without the defendant being placed on probation or he is paroled after commitment to imprisonment, he may vote during the period of the suspension or parole; or

(b) become a candidate for or hold public office.

II. A public office held at the time of sentence is forfeited as of the date of the sentence if the sentence is in this state, or, if the sentence is in another state or in a federal court, as of the date a certification of the sentence, from the sentencing court is filed in the office of secretary of state who shall receive and file it as a public document. An appeal or other proceeding taken to set aside or otherwise nullify the conviction or sentence does not affect the application of this section, but if the conviction is reversed the defendant shall be restored to any public office forfeited under this chapter from the time of the reversal and shall be entitled to the emoluments thereof from the time of the forfeiture.

**607-A:3 Rights Retained by Convicted Person.** Except as otherwise provided by this chapter or by the constitution of this state, a person convicted of a crime does not suffer civil death or corruption of blood or sustain loss of civil rights or forfeiture of estate or property, but retains all of his rights, political, personal, civil, and otherwise, including the right to hold public office or employment, to vote, to hold, receive, and transfer property, to enter into contracts, to sue and be sued, and to hold offices of private trust in accordance with law.

**607-A:4 Savings Provisions.**

I. This chapter does not affect the power of a court, otherwise given by law to impose sentence or to suspend imposition or execution of sentence on any conditions, or to impose conditions of probation, or the power of the state board of parole to impose conditions of parole.

II. This chapter does not deprive or restrict the authority and powers of officials of a penal institution or other penal facility, otherwise provided by law, for the administration of the institution or facility or for the control of the conduct and conditions of confinement of a convicted person in their custody.

III. This chapter does not affect the qualifications or disqualifications otherwise required or imposed by law for a designated office, public or private, or to serve as a juror or to vote or for any designated profession, trust, or position, or for any designated license or privilege conferred by public authority.

IV. This chapter does not affect the rights of others arising out of the conviction or out of the conduct on which the conviction is based and not dependent upon the doctrines of civil death, the loss of civil rights, the forfeiture of estate, or corruption of blood.

V. This chapter does not affect laws governing rights of inheritance of a murderer from his victim.

#### **607-A:5 Certificate of Discharge.**

I. If the sentence was in this state, the order, certificate, or other instrument of discharge, given to a person sentenced for a felony upon his discharge after completion of service of his sentence or after service under probation or parole, shall state that the defendant's rights to vote and to hold any future public office, of which he was deprived by this chapter are thereby restored and that he suffers no other disability by virtue of his conviction and sentence except as otherwise provided by this chapter. A copy of the order or other instrument of discharge shall be filed with the clerk of the court of conviction.

II. If the sentence was in another state or in a federal court and the convicted person has similarly been discharged by the appropriate authorities, the governor, of this state, upon application and proof of the discharge in such form as the governor, may require, shall issue a certificate stating that such rights have been restored to him under the laws of this state.

III. If another state having a similar act issues its certificate of discharge to a convicted person stating that the defendant's rights have been restored, the rights of which he was deprived in this state under this chapter are restored to him in this state.

**607-A:6 Uniformity of Interpretation.** This chapter shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

**607-A:7 Short Title.** This chapter may be cited as the Uniform Act on Status of Convicted Persons.

**607-A:8 Severability.** If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application and to this end the provisions of the chapter are severable.

**289:2 Repeal.** RSA 607:8, relative to the civil effect of conviction of an offense punishable by death, is hereby repealed.

**289:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 290.

### AN ACT TO PREVENT THE UNAUTHORIZED PRACTICE OF LAW.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**290:1 Unauthorized Practice of Law.** Amend RSA 311 by inserting after section 7 the following new subdivision:

#### Unauthorized Practice of Law

**311:7-a Petition for Injunction.** I. Upon his own information or upon complaint of any person, including any judge or any organized bar association in this state, the attorney general may maintain an action for injunctive relief in the supreme or superior court against any person who renders, offers to render, or holds himself out as rendering any service which constitutes the unauthorized practice of the law. Any organized bar association in this state may intervene in the action, at any stage of the proceeding, for good cause shown. II. The action may also be maintained by the bar association of the state of New Hampshire.

**311:7-b Investigation by Attorney General.** I. The attorney general may investigate any complaint of unauthorized practice of the law and the attorney general, or a deputy attorney general or an assistant attorney general, designated by him may subpoena witnesses, compel their attendance, examine them under oath, and require the production of any relevant documentary evidence.

II. The laws relating to the attendance of witnesses in civil actions and the payment of their fees and expenses to those witnesses shall apply to investigations made by the attorney general hereunder.

III. If a person fails or refuses to obey a subpoena or to testify as to any material matter regarding which he may be interrogated, the superior court, upon application by the attorney general, may issue to the person an order requiring him to appear before the attorney general, or a deputy attorney general or an assistant attorney general designated by him, to produce documentary evidence, or testify. Failure to obey the order of the court may be punished by the court as a contempt of court.

IV. When requested public officers, their assistants, clerks or employees, shall furnish to the attorney general, his deputy or an assistant attorney general designated by him all information and assistance.

V. Investigations under this section shall be confidential. Any person participating in the investigation who, except as required in the discharge of his official duties, discloses to any person other than to a person under investigation, the name of any person under investigation or any witness examined, or any other information obtained in the investigation is guilty of a misdemeanor.

VI. Every person, whose conduct is investigated under this section shall be furnished with a written specification of the issues which are to be considered, and shall be given an opportunity to present evidence and be heard upon the specified issues.

**311:7-c Remedies and Procedures Additional to Those Now Existing.** The remedies and procedures provided in this subdivision are in addition to and not in substitution for other available remedies and procedures.

**311:7-d Definition.** The word "Person" as used in this subdivision means an individual, corporation, partnership or association.

**311:7-e Short Title.** This subdivision may be cited as the Model Act Providing Remedies for the Unauthorized Practice of Law.

**311:7-f Severability.** If any provision of this subdivision or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this subdivision are severable.

**290:2 Repeal.** RSA 311:9, relating to the unauthorized practice of law and RSA 311:12, relating to restraint of violations, are hereby repealed.

**290:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 291.

AN ACT RELATIVE TO MANNER OF SERVING TERMS OF IMPRISONMENT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**291:1 Broadening of Sentencing Powers of Judges.** Amend RSA 607 by inserting after section 14 the following new subdivision:

### Discretionary Sentences

**607:14-a Release for Purpose of Gainful Employment or Rehabilitation.** Any person who has been committed to a penal institution other than state prison under a criminal sentence may be released therefrom by the sentencing court at the time of sentence or at any time during the term of sentence, for the purpose of obtaining and working at gainful employment or for such other purpose as the court may deem conducive to his rehabilitation, for such times or intervals of time and under such terms and conditions as the court may order. Any part of a day spent in the free community under such a release order shall be counted as a full day toward the serving of the sentence unless otherwise provided by the court. If a person violates the terms and conditions laid down for his conduct, custody and employment, he shall be returned to the sentencing court. The court may then require that the balance of the person's sentence be spent in actual confinement and may cancel any earned reduction of his term.

**607:14-b Incarceration Under Suspended Sentence.** Any person who has been given a sentence in a criminal case may, at the time of sentence or at any time while any part thereof remains unserved, be required to report to the institution to which he has been sentenced to be incarcerated during weekends or at such times or intervals of time as the court may direct. Time so spent in said institution shall be deducted from the term of the sentence. Any part of a day spent in the institution shall count as a full day toward the sentence. In no event shall the number of days confinement exceed the number of days in the original sentence.

**607:14-c Terms on Revocation of Suspended Sentence.** Upon revocation of any suspended sentence the court may order that the defendant serve such sentence in full or in such parts and at such times as is deemed best, may further suspend any part not ordered to be served upon such terms and conditions as the court may order and may place the defendant on probation during the time any portion of the sentence remains suspended.

**607:14-d Jurisdiction Over and Disposition of Wages and Income.** In any criminal case, in addition to such other terms and conditions as may be imposed by the court, a defendant who has received a suspended sentence or who has been released under section 14-a may be required by the court to surrender to the probation department or other agency designated by the court all or part of his wages or other income, less standard payroll deduction required by law, earned during the time he is not confined under the sentence. The court may direct that after deducting therefrom the cost of his maintenance while not confined the balance be applied as needed for the support and maintenance of his dependents and that any balance after such application be deposited in a savings account to be released to him or applied as needed for the support of his depend-



ents as the court may order before the expiration of his sentence. Upon expiration of his sentence the balance remaining shall be paid to him or his order.

**607:14-e Change of Place of Confinement.** The court for good cause may at any time before the expiration of an original sentence change the place of confinement to any other institution to which the defendant could have been committed under that sentence.

**607:14-f Failure to Report Deemed Escape.** Any person released under section 14-a or ordered confined under section 14-b or 14-c who wilfully fails to report for confinement as ordered shall be deemed to have escaped from the institution to which he has been sentenced and upon conviction shall be subject to the punishment provided for escape therefrom.

**607:14-g Release from State Prison.** The warden may release any person who has been committed to the New Hampshire state prison at any time during the term of sentence for the purpose of obtaining and working at gainful employment or for such other purpose as may be deemed conducive to his rehabilitation, for such times or intervals of time and under such terms and conditions as may be prescribed by the New Hampshire state board of parole and the warden, provided, however, that a prisoner who has not served sufficient time to be eligible for parole may be released under this section only if the sentencing court has been notified of the proposed release and has not objected within ten days of receipt of such notice. The warden may permit inmates of the New Hampshire state prison, who volunteer to do so, to be gainfully employed outside the institution when such employment is considered in their best interest and the best interest of the state. Inmates may be so employed for the state or for public or private employers. The rates of pay and other conditions of employment of a person released for work shall be the same as those paid or required in the locality in which the work is performed. An inmate so employed shall surrender to the warden his total earnings less payroll deductions authorized by law, including income taxes. After deducting from the earnings of each person an amount determined to be the cost of the person's keep, the warden shall: (1) allow the person to draw from the balance a sufficient sum to cover his incidental expenses; (2) credit to his account such amount as seems necessary to accumulate a reasonable sum to be paid to him on his release; (3) cause to be paid such part of any additional balance as is needed for the support of the person's dependents and notify the overseer of public welfare of the town, in which the person's dependents reside, of such support payments; (4) pay the balance to the person when he is released. Any part of a day a prisoner is employed outside the walls of the institution shall count as a full day toward the serving of his sentence as though served inside the walls. An inmate so employed outside shall be subject to the rules and

regulations of the institution and be under the direction and control of the officers thereof. If he escapes or fails to return inside the walls of the institution as required by the rules or the orders of the officers thereof, he shall be punished as provided by RSA 622:13. The warden of the New Hampshire state prison may at any time recall a prisoner from such release status if he believes or has reason to believe the peace, safety, welfare, or security of the community may be endangered by the prisoner being under such release status. Any such prisoner recalled under this provision shall be presented to the next regularly scheduled meeting of the New Hampshire state board of parole for its further consideration. A prisoner authorized to work at paid employment in the community under this section may be required to pay, and the warden is authorized to collect, such cost incident to the prisoner's confinement as the New Hampshire state board of parole deems appropriate and reasonable. Such collections shall be deposited with the state treasurer as a part of the general revenue of the state.

**291:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 27, 1967.]

[Effective date August 26, 1967.]

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## CHAPTER 292.

### AN ACT PROHIBITING THE TRANSFER OF ANY APPROPRIATIONS FOR EQUIPMENT TO OTHER USES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**292:1 Equipment Appropriations.** Amend RSA 9 by inserting after section 17 the following new section: **9:17-a Limitation.** Notwithstanding the provisions of sections 16 and 17 no transfers shall be made from appropriation items for equipment to other uses or purposes. The provisions of this section shall apply to equipment items in general appropriations, capital budget appropriations and in any other special appropriations.

**292:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved June 30, 1967.]

[Effective date July 1, 1967.]

**CHAPTER 293.**

AN ACT PROHIBITING THE EMPLOYMENT AT RACE TRACKS OF PERSONS WHO  
HAVE BEEN CONVICTED OF VIOLATING GAMBLING LAWS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**293:1 Horse Race Meets.** Amend RSA 284 by inserting after section 19 the following new section: **284:19-a Prohibition.** No person, association, or corporation shall knowingly employ in any capacity at race tracks under the jurisdiction of the commission any person who has been convicted of violating any state or federal law relative to gambling within a period of ten years prior to the application for employment. Any person, association, or corporation who knowingly violates any of the provisions of this section shall be fined not more than one thousand dollars or imprisoned for not more than six months, or both.

**293:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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**CHAPTER 294.**

AN ACT RELATIVE TO DOGS AS A MENACE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**294:1 Dogs Causing a Nuisance.** Amend RSA 466:31 (supp) as amended by 1957, 148:1 by striking out said section and inserting in place thereof the following:

**466:31 Dogs as a Menace.**

I. Any person who considers a dog to be causing a nuisance or to be a menace to persons or property may make complaint to any law enforcement officer or to the selectmen of the town in which such dog is kept, and such officers shall, within three days after the receipt of such complaint, investigate the case, and, if the complaint is sustained, shall forthwith order the owner or keeper of such dog to abate the nuisance. Service of such order shall be made upon the owner or keeper of such dog by causing a certified copy of such order to be delivered to him. Any owner or keeper upon whom notice of such order has been served, may, within ten days thereafter, bring a petition in the municipal or district court for the town or city, as the case may be, praying that the order be reviewed

by the court. After notice to the investigating officers, and upon hearing, the court shall affirm, modify or dismiss such order, as justice may require. During the pendency of such action and the order of the justice of the court, the owner or keeper of such dog shall restrain such dog from running at large. Any person who neglects to restrain such dog from running at large, in compliance with orders hereunder shall be fined not more than twenty-five dollars, the dog taken into custody by the police of the city or constable of the town and such disposition made of the dog as the court may order.

II. Under this section, a dog is causing a nuisance or is a menace to persons or property under any of the following conditions: (a) if it barks continuously for sustained periods of time; (b) while it runs at large on the streets or on property other than its owner's, it turns over garbage cans or waste containers, or otherwise causes garbage or waste to be scattered in yards or on streets or sidewalks; (c) while it runs at large it barks at or snaps at or runs after persons walking on sidewalks or streets, or at persons riding bicycles on sidewalks or streets; (d) while it runs at large it barks at or runs after motor vehicles being driven along the streets; (e) while it runs at large it gathers in packs with other dogs and runs with the pack after game, domestic animals, or human beings; (f) while running at large it digs or scratches in gardens or around cultivated areas, so as to uproot or destroy the growing plants, shrubs, or trees; (g) while in heat is unconfined.

**294:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 295.

AN ACT CHANGING THE TERM OF IMPRISONMENT FOR CONDITIONAL SENTENCES AND REPEALING THE COMMITTAL PROVISION OF  
CONDITIONAL SENTENCES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**295:1 Term of Imprisonment Changed.** Amend RSA 607:16 by striking out the words "dollar and the fraction of a dollar" in lines two and three and inserting in place thereof the words (five dollars) so that said section as amended shall read as follows: **607:16 Term.** Whenever a person is so conditionally sentenced the term of imprisonment shall not be less than one day for each five dollars of the fine and cost.

**295:2 Term of Imprisonment Changed.** Amend RSA 618:8 by striking out the words "one dollar" in line four and inserting in place thereof the words (five dollars) so that said section as amended shall read as follows: **618:8 At End of Term, or on Payment of Balance.** Any person sentenced conditionally to pay a fine or to be imprisoned for a term shall be discharged at the expiration of the term, and may be discharged at any time on payment of the balance of the fine, after deducting five dollars for each day he has been imprisoned under the sentence.

**295:3 Term of Imprisonment Changed.** Amend RSA 618:9 as amended by 1957, 244:43, by striking out the words "to the number of dollars and the fraction of a dollar" in lines five and six and inserting in place thereof the following (one day for each five dollars) so that said section as amended shall read as follows: **618:9 Committal for Non-Payment, Term.** Whenever a person is committed to jail or to a house of correction in default of payment of a fine imposed by a justice of a municipal court he shall be discharged from custody by the keeper thereof, at the expiration of a number of days after the date of his commitment equal to one day for each five dollars of the fine so imposed. The keeper shall keep a record of all discharges made under the provisions of this section.

**295:4 Repeal.** RSA 607:17, relating to committal of a person against whom a conditional sentence is awarded, is hereby repealed.

**295:5 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 296.

AN ACT RELATIVE TO THE GRANTING OF DEGREES AND THE ACCREDITATION  
OF SPECIFIC COURSES OFFERED BY COMMUNITY COLLEGES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**296:1 Powers Increased.** Amend RSA 292-A:4, I as inserted by 1961, 155:1 by striking out said paragraph and inserting in place thereof the following: I. Limitations and Powers. A community college may grant academic degrees with specific approval of the legislature upon recommendation of the coordinating board of advanced education and accreditation. Prior to approval of the power to grant degrees certain individual courses offered by community colleges shall be designated as of equal grade with like courses offered by an accredited college. If any such course is submitted to the coordinating board for such designation the board

shall act forthwith on the application. If it finds that said course is taught by a qualified instructor, that the subject matter is at a college level, and that sufficient library and laboratory facilities for the particular course are available, it shall so designate it and recommend to all institutions in the state that the course so designated shall receive the same consideration for transfer credit as is given to a course taken at any established college authorized to grant degrees and that the state board of education accept this course as meeting the certification requirements of the state. Each course presented for approval in each semester shall be evaluated in accordance with the above standards and must be reevaluated each time the course is given for credit.

**296:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 297.

AN ACT TO BAR PUBLIC OFFICER OR EMPLOYEE FROM BENEFITING FROM INSURANCE CONTRACTS ISSUED ON CONSTRUCTION PAID FOR BY PUBLIC FUNDS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**297:1 Personal Interest in Business Transactions with Public.** Amend RSA 95 by inserting after section 1 a new section as follows: **95:1-a Public Officials Barred From Insurance Dealings.** With respect to any public works or construction contracts of any type that are paid for by public funds of the state or by any of its political subdivisions, or of any public authority, it is unlawful for any officer or employee of the state, or of any of its political subdivisions, or of any public authority, either directly or indirectly to require the builder or the bidder to make application to or to get any surety bond or contract of insurance specified in the building or construction contract from a particular surety or insurance company, agent, or broker. It is unlawful for any officer or employee of the state, of any of its political subdivisions, or of any public authority, or for any person who purports to act for such an officer or employee to negotiate, make application for, or to get any such a surety bond or contract of insurance which can be obtained by the builder, bidder, contractor, or sub-contractor on the building or construction contract. This section does not prevent any such an officer or employee of the state from exercising the state's right to approve the form, sufficiency, or manner of execution of the surety bonds or contracts of insurance furnished by the surety or insurance company selected by the bidder to underwrite surety bonds or insurance contracts.

**297:2 Application of Statutes.** Amend RSA 95:2 by striking out the words "the foregoing section" and inserting in place thereof the words (this chapter) so that said section as amended shall read as follows: **95:2 Penalty.** Anyone violating the provisions of this chapter shall be fined not more than five thousand dollars, and upon conviction there shall automatically be a vacancy in the office held by the person convicted which shall be filled as otherwise provided by law.

**297:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 298.

AN ACT RELATING TO THE TAKING BY THE STATE OF LAND RESTRICTED TO  
CONSERVATION OR RECREATION USE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**298:1 State Acquisition of Certain Municipal Land.** Amend RSA 4 by inserting after section 30 the following new section: **4:30-a Acquisition of Municipal Land Used for Conservation or Recreation.** If the state proposes to acquire any municipal land, under the provisions of RSA 4:29, 4:30, 233, 236, or of any other applicable section of RSA, for highway or other purposes, and such land had been used by said municipality for conservation or recreation, it shall first comply with the following requirements:

I. A public hearing shall be held which may be a special hearing or the hearing required by RSA 4:33, 233:10, 236, or by any other applicable section of RSA. At such public hearing and in any statutorily required notice thereof, and in a notice which shall be posted ninety days prior to the hearing, the state shall set forth the description of the land proposed to be acquired and the proposed use of such land, together with any reasons justifying the acquisition of such property rather than other land. The state may acquire such land, for highway or other purposes, unless, at any meeting called prior to said hearing to act on the question, the governing body of the municipality in which the land is located, by a majority of its members present and voting, votes to disapprove the proposed acquisition. Any approval or disapproval of such proposed acquisition which has been duly voted by the governing body of the municipality shall be certified to the appropriate state official or agency by the municipal officials at the public hearing or within fifteen days thereafter.

II. In the event that the governing body votes to disapprove the proposed acquisition, the state may acquire such land only by filing a petition in the superior court for any order permitting it to do so. At the time the petition is filed, the state shall serve a copy thereof upon the municipality. After hearing any interested citizens and considering all the facts and the public policy of this state which encourages the use of land for recreation and conservation purposes, if said court finds that no other land is available as a satisfactory substitute for the land proposed to be taken, it shall issue an appropriate order.

III. When the state acquires any municipal land under the provisions of this section, it shall transfer to said municipality other comparable land and facilities to the extent feasible, or shall grant to said municipality sufficient funds to acquire comparable land and facilities for such purposes. The fact that the land and facilities are comparable within the meaning of this paragraph shall be determined by the order of the court or by the state agency acquiring the land, subject to any applicable statutory right of appeal therefrom.

**298:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 299.

AN ACT RELATIVE TO SALARIES OF GRAFTON COUNTY COMMISSIONERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**299:1 Grafton County Commissioners.** Amend RSA 28:28 (supp) as amended by 1955, 247:4, 269:1, 1957, 182:1, 246:1, 1961, 80:1, 157:1, 210:1, 1963, 94:1, 329:2, 1965, 142:1, 191:1, and 262:1 by striking out the words "In Grafton, eighteen hundred dollars" and inserting in place thereof the words (In Grafton, twenty-one hundred fifty dollars) so that said section as amended shall read as follows: **28:28 Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, three thousand dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Carroll, eighteen hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, forty-five hundred dollars.



In Cheshire, two thousand dollars.

In Sullivan, eighteen hundred dollars.

In Grafton, twenty-one hundred fifty dollars.

In Coos, two thousand dollars.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

**299:2 Effective Date.** This act shall take effect January 1, 1967.

[Approved June 30, 1967.]

[Effective date January 1, 1967.]

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## CHAPTER 300.

AN ACT RELATIVE TO THE INSTALLATION OF MUNICIPAL SEWAGE DISPOSAL  
FACILITIES AND RELATIVE TO CONDEMNATION AUTHORITY  
FOR SEWERAGE CONSTRUCTION.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**300:1 Sewage Disposal Facilities.** Amend RSA 148 by inserting after section 23 the following new section: **148:23-a Power to Require the Installation of Sewage Disposal Facilities.** The water supply and pollution control commission is hereby empowered to investigate the conditions and methods relating to the disposal of sewage in any municipality, as set forth in RSA 149-B:1 and to require the installation of public sewers, as defined in RSA 147:8 whenever such investigation demonstrates that individual sewage disposal systems are inadequate or incapable of protecting the health and welfare of the citizens of the affected municipality or preventing pollution of the surface waters of the state, as defined in RSA 149. Before issuing an order requiring the installation of public sewer facilities, the commission shall notify the municipality of its findings and shall give the municipality an opportunity to be heard. After such hearing if it shall be determined that said facilities are necessary, the municipality shall be so notified in writing and the requirements so ordered shall be effected within a reasonable time to be fixed by the said commission. If any municipality whose duty it is to act shall fail or refuse for a period of ten days after the expiration of the time fixed by said order, or, in the case of appeal for a period of ten days after final judgment shall have been entered, to obey the same or in good faith to begin to make the installation as ordered, such municipality so failing shall be fined not more than one thousand dollars for each day of failure to comply with the order of said commission. Said fine shall be paid to the state and may be recovered in an action of debt brought by the attorney-general in the name of the state treasurer.

**300:2 Authority Granted.** Amend RSA 148:24 by striking out said section and inserting in place thereof the following: **148:24 Appeal.** Any person aggrieved by any decision, regulation, ruling or order made by the water supply and pollution control commission pursuant to the provisions of sections 22, 23, and 23-a may appeal therefrom to the supreme court in accordance with the provisions of chapter 541, RSA.

**300:3 Sewers and Waste Treatment Facilities.** Amend RSA 252:5 by striking out said section and inserting in place thereof the following: **252:5 Taking Land.** Whenever it is necessary to construct such main drains or common sewers, sewage and/or waste treatment facilities across or on the land of any person and the city cannot obtain for a reasonable price any land or easement in land required by it, the mayor and alderman may lay out a sufficient quantity of such land for the purpose and assess the owner's damages in the same manner as in the case of taking land for highways, and the owner shall have the same right of appeal, with the same procedure.

**300:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 301.

AN ACT INCREASING THE SALARY OF THE STRAFFORD COUNTY TREASURER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**301:1 Strafford County Treasurer.** Amend RSA 29:14 (supp), as amended by 1955, 172:2, 247:3, 1957, 149:1, 1963, 8:1, 1965, 262:2 and 1967, 36:1, by striking out in line five the words "In Strafford, five hundred dollars" and inserting in place thereof the words (In Strafford, seven hundred fifty dollars) so that said section as amended shall read as follows: **29:14 Salaries.** The annual salaries of the treasurers of the several counties to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, seven hundred fifty dollars.

In Belknap, five hundred dollars.

In Carroll, seven hundred fifty dollars.

In Merrimack, six hundred dollars.

In Hillsborough, twelve hundred dollars.

In Cheshire, four hundred dollars.

In Sullivan, five hundred dollars.

In Grafton, five hundred dollars.

In Coos, five hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

**301:2 Effective Date.** This act shall take effect January 1, 1968.

[Approved June 30, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 302.

AN ACT RELATIVE TO THE APPOINTMENT OF JUSTICES OF THE PEACE  
AS BAIL COMMISSIONERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**302:1 Appointment of Bail Commissioners by Superior Court.**

Amend RSA 597:15 by striking out said section and inserting in place thereof the following: **597:15 Appointment.** The superior court may appoint justices of the peace and quorum as commissioners authorized to fix and receive bail in criminal cases, as hereinafter provided.

**302:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 303.

AN ACT RELATIVE TO FEES TO TAX COLLECTOR FOR SALE OF REAL ESTATE  
FOR TAXES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**303:1 Tax Sales; Fees.** Amend RSA 80:43 by striking out said section and inserting in place thereof the following:

**80:43 Sale of Real Estate.** Each tax collector shall receive the following fees in connection with the sale of real estate to be charged as costs for the services listed below except as otherwise noted:

I. Notice to delinquent taxpayer covering all unpaid taxes listed under his name, one dollar.

II. For conducting sale for each taxpayer on list, one dollar and fifty cents plus fifty cents for each parcel sold after the first parcel.

III. For notice of payment to the register of deeds after advertising and before sale, or notice of redemption or discharge of lien after sale, fifty cents plus the fees advanced and paid to the register of deeds.

IV. For each notice to the register of deeds of payment of tax subsequent to a tax sale, fifty cents plus the fees advanced and paid to the register of deeds.

V. For each deed made and delivered to the purchaser at a tax sale, two dollars, to be paid by the purchaser.

VI. Collectors shall also be allowed to charge for postage, fees of notaries or justices of the peace incident to making returns to the registry of deeds, and for the cost of printed forms and stationery and for other necessary and actual expenses incurred; said expenses to be totalled and divided pro rata among the delinquent taxpayers when real estate is advertised and sold.

**303:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 304.

AN ACT AUTHORIZING THE SWEEPSTAKES COMMISSION TO CONDUCT PURE LOTTERIES AND TO ASSOCIATE DRAWINGS WITH HORSE RACES HELD BEFORE AND AFTER THE DRAWINGS, WITHIN OR WITHOUT THE STATE OF NEW HAMPSHIRE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**304:1 Pure Lotteries; Drawings Associated with Horse Races.** Amend RSA 284:21-h, I and II as inserted by 1963, 52:1 and amended by 1963, 200:3 1965, 200:1 and 1967, 42:1, by striking out said paragraphs and inserting in place thereof the following:

I. The sweepstakes commission is hereby authorized:

(a) To conduct public drawings at such intervals and in such places within the state as the commission may determine. If governor and coun-

cil grant approval, such drawings may be in the form of pure lotteries and if so, shall not be associated in any way with a sporting event. Such drawings may also be associated with horse races as hereinafter provided. At least one such drawing each year shall be based on a sweepstakes horse race held within the state. In no event shall such drawings be in the form of numbers, policy, bolita or similar games proscribed by Title 18, s. 1953, U. S. Code.

(b) To contract with any licensee to conduct sweepstakes races within the enclosure of any racetrack in the state where races or race meets are held under this chapter, or in the alternative, or in addition thereto, to affiliate the public drawings herein authorized with such thoroughbred races or race meets held within or without the state, either before or after the public drawings, as the commission may determine.

(c) To conduct both pure lotteries and horse race sweepstakes if the commission, with the approval of governor and council, shall determine that such program will best accomplish the purposes of this subdivision.

## II. Tickets for such pure lotteries and sweepstakes races:

(a) Shall be sold by the sweepstakes commission (1) in state liquor stores and the state liquor commission is hereby directed to cooperate with the sweepstakes commission in the sale of such tickets, and (2) within the enclosure of any track where a race or race meet is conducted by license issued under this chapter and the sweepstakes commission is authorized to request and accept cooperation of the licensee in the sale of such tickets therein.

(b) May be sold by the sweepstakes commission in the following locations: branch offices of the commission, to be established at the information area adjacent to the Hampton toll station and the Hooksett toll station, and the commission's office in Concord. Each branch office at the Hooksett and Hampton toll stations will be in a new building to be constructed by the department of public works and highways in accordance with their design and specifications. The sweepstakes commission is hereby authorized to contract with the department of public works and highways for the construction of these buildings, the cost of which will be a charge against sweepstakes revenue. Tickets sold at any of the locations provided for by this sub-paragraph shall be sold only by sweepstakes commission employees.

(c) May be sold by the sweepstakes commission in the following locations:

(1) at, within, or upon the following premises owned or controlled by the state: Franconia State Park, Hampton Beach State Park, Mount Sunapee State Park, and Crawford Notch State Park. The state agency re-

sponsible for the operation of these locations shall have regulatory powers over the sales and advertising of sweepstakes tickets at the above locations.

(2) at, within, or upon the following premises owned or controlled by a political subdivision of the state: Weirs Beach, provided, however, that the voters of the city of Laconia have signified their approval of the sale of sweepstakes tickets in said city pursuant to the provisions of RSA 284:21-k at the biennial election of November, 1966 and so signify biennially thereafter. The sweepstakes commission shall obtain prior permission from the administrative authorities for this location before selling tickets at, within, or upon these premises.

(d) May be sold by or for the sweepstakes commission in the following locations: Such major type hotels, motels, banks, commercial areas, and local fairs as are approved by the commission, provided however, that all sales in commercial areas shall be only by employees of the sweepstakes commission or from mobile units operated by the commission. Sales at all the above locations shall be subject to rules and regulations established by the commission, and provided however, that the voters of the cities or towns in which the respective sales outlets are located have signified their approval of the sale of sweepstakes tickets in said cities or towns pursuant to the provisions of RSA 284:21-k at the biennial election of November, 1966 and so signify biennially thereafter. Tickets may be sold only in such of these locations as desire to cooperate. The commission and management shall make mutually agreeable arrangements to accomplish the sale of tickets at a uniform rate of compensation.

(e) Persons who have been convicted of a felony shall not be allowed to sell sweepstakes tickets.

**304:2 Rules for Drawings.** Amend RSA 284:21-i, as inserted by 1963, 52:1 and amended by 1963, 200:1, by striking out said section and inserting in place thereof the following: **284:21-i Rules and Regulations.** The sweepstakes commission shall make the rules and regulations for the holding and conducting of such drawings and sweepstake races and the sale of tickets therefor not inconsistent with this subdivision and shall be empowered to employ such technical assistants and employees to carry out the provisions of this subdivision as the governor and council shall authorize. Such assistants and employees shall receive compensation at rates to be established by the personnel commission. The sweepstakes commission shall establish and fix the purses, not exceeding in the aggregate for a single calendar year the sum of two hundred thousand dollars, to be awarded horses in said sweepstakes races; shall establish the price, to be not more than three dollars each, for which tickets for said drawings and sweepstakes races shall be sold; shall establish the method whereby tickets sold for said drawings and sweepstakes races shall be determined to be winning tickets; and shall establish the money or prizes to be awarded holders of winning tickets. In establishing the money or prizes to be

awarded the holders of winning tickets and the purses for the horses, the sweepstakes commission shall be governed by the fact that the primary purpose of the sweepstakes is to raise revenue for the benefit of public education. They shall conduct such studies and make such investigation, either directly or through their agents, as will appraise them of the prizes and money awarded to the holders of winning tickets in similar drawings wherever held. They shall consider the size of purses for the horses as bearing on the question of gaining public confidence in the sweepstakes races. They shall fix the prizes and amounts of money to be awarded winners as well as the purses for the horses in such manner as will yield the largest net revenue for the benefit of public education, bearing in mind the expenses to be incurred, and all other factors which tend to influence net revenue.

**304:3 Local Option Question.** Amend RSA 284:21-k, as inserted by 1963, 52:1, by striking out the same and inserting in place thereof the following: **284:21-k Local Option.** The following question or questions shall be submitted to the voters in cities and towns on the usual ballot at the biennial election in November of 1968 and at each biennial election thereafter: (1) "Shall sweepstakes tickets be sold in this city or town?" and if authorized by governor and council, as provided in 21-h, I, (2) "Shall lottery tickets be sold in this city or town?" If a majority of the qualified voters present and voting at any biennial election of a city or town signifies disapproval of the above question, the sweepstakes commission shall not sell tickets under the provisions of this subdivision in said city or town. If a majority of the qualified voters present and voting at any biennial election of a city or town signifies approval of the above question, the sweepstakes commission shall, if possible under the other provisions of this subdivision, sell tickets in said city or town.

**304:4 Prohibit Fee for Purchase of Lottery Ticket.** Amend RSA 284:21-o, as inserted by 1965, 63:1, by inserting in line two after the word "sweepstakes" the words (or lottery) so that said section as amended shall read as follows: **284:21-o Purchase of Tickets for a Fee Prohibited.** No person shall engage in the business of purchasing or offering to purchase a sweepstakes or lottery ticket or tickets for, in behalf of, or in the name of another for a fee or service charge which shall make the ultimate cost of such ticket or tickets to the registered owner thereof greater than the legal price of such ticket or tickets as established by the sweepstakes commission under the authority of this subdivision. Whoever violates the provisions of this section shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

**304:5 State Gaming Laws not to Apply to Lottery.** Amend RSA 284:21-p, as inserted by 1965, 63:1, by inserting in line two after the words "sale of" the words (lottery and) so that said section as amended shall read as follows: **284:21-p Effect on Other Laws.** RSA 577:1 to 15 inclusive,

shall not apply to the sale of lottery and sweepstakes tickets provided for by this subdivision.

**304:6 Effective Date.** This act shall take effect upon its passage.

[Approved June 30, 1967.]

[Effective date June 30, 1967.]

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## CHAPTER 305.

AN ACT RELATIVE TO BORROWING BY VILLAGE DISTRICTS IN ANTICIPATION  
OF TAXES AND OTHER REVENUE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**305:1 Anticipation of Taxes and Other Revenue.** Amend RSA 33:7, II (supp), as amended by 1957, 98:1, by striking out the same and inserting in place thereof the following: II. Village Districts. Village districts may incur debt in anticipation of taxes and other revenue of the financial year in which the debt is incurred, in order to pay current maintenance and operation expenses, and may issue notes therefor to an aggregate principal amount not exceeding the total receipts of the district from such sources during the preceding financial year. In order to meet necessary expenses which may arise during the period from the beginning of the financial year to the date of the annual district meeting, the treasurer of any district with the approval of the governing board, may issue notes, without a vote of the district therefor, to an aggregate principal amount not exceeding twenty per cent of the total receipts from such sources during the preceding financial year.

**305:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 306.

AN ACT TO REQUIRE THE MAILING OF THE COUNTY BUDGET AND STATEMENT  
OF CONDITION TO THE TOWNS AND CITIES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**306:1 County Budget.** Amend RSA 24:21 (supp) as amended by 1961, 202:1 by inserting in line two after the word "convention" the words (the chairman of the board of selectmen in each town and the mayor of



each city within the county) so that the section as amended shall read as follows: **24:21 Budget Statement.** The county commissioners shall deliver or mail to each member of the county convention, the chairman of the board of selectmen in each town and the mayor of each city within the county and to the secretary of state prior to the last day of January annually a statement of the condition of the county treasury on the preceding December thirty-first, accompanied by their itemized recommendations of the sums necessary to be raised for the county in the year next ensuing, stating therein in detail the objects for which the money is required. No county convention shall vote appropriations for the ensuing budget period until twenty-eight days shall have elapsed from the mailing of such statements.

**306:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 307.

### AN ACT RELATIVE TO PLACING FILL IN PUBLIC WATERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**307:1 Placing Fill in Public Waters.** Amend RSA 482 by inserting after section 41-d (supp) as inserted by 1959, 113:1 the following new subdivision:

#### Placing Fill in Public Waters

**482:41-e Artificial Fill.** No person, firm or corporation shall place or cause to be placed any fill below the mean high water level of any public waters nor below the artificially created high water level of public owned water bodies in this state with the intent or with the effect of creating or forming filled land thereby adjacent to such water bodies, except as provided in this subdivision. For the purposes of this subdivision, public waters are defined as all natural ponds of more than ten acres. Public owned water bodies are defined as those bodies of water whose artificial high water level is maintained by the state's exercise of its flowage rights on these ponds. The prohibition hereof shall not apply to the state, the federal government, or to municipal corporation, or to their agents acting within the scope of their official duties. However, these excepted entities shall inform the water resources board of their intent to place fill in public waters. The provisions of this subdivision shall not apply to the construction of piers, wharves or piers designated or intended for the

mooring of water craft or aircraft or such other minor improvements of shore lines as the water resources board by regulations may allow. However, plans for all commercial piers and wharves and/or all piers or wharves whose construction shall consist of placing fill shall be reviewed by the water resources board.

**482:41-f Grant of Right.** The governor and council, upon petition and upon the recommendation of the water resources board, may, for just consideration, grant to an owner of shoreline on public waters, the right to place fill in the bed of such pond before his shoreline. Every petition to place fill in the bed of public waters shall be referred to the water resources board and said board after thirty days notice to abutters, and to the selectmen of the town or mayor and council of the city in which the property is situate, and to commissioner of fish and game, and to the water supply and pollution control commission, and to the department of public works and highways, and to the department of planning and research, and to the division of parks, and to the division of public health shall hold a public hearing, at which a majority of the members of the water resources board shall be present, notice of which shall be published twice in two different weeks, the last publication to be seven days before the hearing, in one newspaper of general circulation throughout the state and another newspaper of general circulation in the town or city, and notice posted in two public places in the town or city and upon appropriate investigation shall make its recommendations to the governor and council with regard to such petition. If the board recommends that the petition be granted, in whole or in part, such recommendation shall include appropriate specifications and conditions necessary to the protection of public rights, and to the protection of the rights and privileges of persons owning land in the vicinity of the area to be filled by the petitioner. The grant of the governor and council shall be evidenced by an instrument in writing, executed by the governor and council and attested by the secretary of state and recorded in the county where the right is to be exercised. Land created by fill in accordance with the grant of the governor and council shall belong to the owner of the natural shore line as if it were formed by natural accretion. The owner of a shoreline on a public owned water body may petition the water resources board for the right to place fill below the artificially created high water level of a public owned water body to the extent that the flowage rights owned by the state allow.

**482:41-g Procedure for Removal of Fill.** If any person, firm or corporation places fill in the bed of public waters or below the artificially created high water level of public-owned water bodies except as provided in this subdivision, he shall be subject to a fine not to exceed one thousand dollars and may be compelled to remove the same by the superior court upon a petition brought by the attorney general at the request of the water resources board, or both.

**482:41-h Fees.** Any payment received by the state as determined by the governor and council under the provisions of section 41-f for the grant of the right to place fill in the bed of a great pond shall be paid over to the state treasurer and shall be available for general revenue of the state.

**482:41-i Costs for Hearing.** The petitioner for a right to place fill in public waters shall make a deposit to the water resources board of fifty dollars with each such petition. This payment shall be for expenses of publication, mailing and posting of notices by the board and for the expenses of hiring a hearing site, if a hearing outside of Concord is necessary. If said expenses amount to more than fifty dollars the board shall require the petitioner to pay the additional amount before it sends its recommendations to the governor and council with regard to the petition.

**307:2 Repeal.** RSA 482:41-a to 41-d inclusive (supp) as inserted by 1955, 244:1 and 1959, 113:1, relative to placing fill in great ponds, are hereby repealed.

**307:3 Effective Date.** This act shall take effect upon its passage.

[Approved June 30, 1967.]

[Effective date June 30, 1967.]

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## CHAPTER 308.

AN ACT RELATING TO THE INDUSTRIAL PARK AUTHORITY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**308:1 Definition.** Amend RSA 162-A:2 (1) as inserted by 1955, 254:1 by striking out the same and inserting in place thereof the following: (1) The words "authority" or "Industrial Park Authority" shall mean The Industrial Development Authority.

**308:2 Industrial Development Authority.** Amend RSA 162-A:3 as inserted by 1955, 254:1 by striking out the same and inserting in place thereof the following: **162-A:3 Authority Created.** There is hereby created The Industrial Development Authority which shall be a body corporate and politic as an agency of the state having the powers and jurisdiction hereinafter enumerated and such other and additional powers as shall be conferred upon it by the legislature.

**308:3 Directors.** Amend RSA 162-A:4 as inserted by 1955, 254:1 by striking out said section and inserting in place thereof the following: **162-A:4 Management.** The management of said corporation shall be vested in a board of nine directors, who shall serve without compensa-

tion. The governor, with the consent of the council, shall appoint the members, one of whom shall be designated as chairman by the governor. Each appointed member shall hold office for three years, and until his successor shall have been appointed. The present members of the industrial park authority, with the exception of the commissioner of resources and economic development, shall serve as members of the industrial development authority until the expiration of their present terms. The vacancy caused by the removal of the commissioner of resources and economic development shall be filled by the governor with the consent of the council.

**308:4 Industrial Facility.** Amend RSA 162-A:2 as inserted by 1955, 254:2 by adding after paragraph (5) as inserted by 1961, 263:11 the following new paragraph: (6) The words "industrial facility" shall mean any land, any building or other improvement, and all real and personal properties, including but not limited to, machinery and equipment deemed necessary in connection therewith, whether or not now in existence, which shall be suitable for use for manufacturing, warehousing, or other industrial purposes, but shall not include raw materials, work in process or stock in trade.

**308:5 Revenue Bonds.** Amend RSA 162-A:6 as inserted by 1955, 254:6 by inserting after paragraph (13) the following new paragraph: (13-a) to acquire in the name of the authority title to an industrial facility by issuing revenue bonds or other such evidences of indebtedness or obligations of the authority secured by lease in which (a) adequate provision has been made for the payment by the lessee of the cost of the construction of such industrial facility so that under no circumstances will state treasury funds, appropriations, or other public funds of the industrial development authority or of the state be obligated directly or indirectly for the payment of the cost of construction of such industrial facility, or for the payment of the principal of, or interest on, any obligations issued to finance such construction, and (b) adequate provision has been made for the payment of all costs of operation, maintenance, and upkeep of such industrial facility by the lessee, sublessee or occupant so that under no circumstances will state treasury funds, appropriations, or other public funds of the industrial development authority or of the state be obligated directly or indirectly, for the payment of such costs: and to lease, sell and convey at public or private sale, with or without advertisement, all or any part of any industrial facility acquired by it, and to do all acts necessary to the accomplishment of such lease, sale, or conveyance.

**308:6 Increase of Debt Limitation.** Amend RSA 162-A:12 as inserted by 1955, 254:12 and amended by 1957, 237:1, 1959, 142:1, 1961, 263:12 and 1963, 155:5 by striking out said section and inserting in place thereof the following: **162-A:12 Debt Limitation.** The authority may issue bonds and notes as follows: (1) The authority may issue bonds or notes in an

amount not to exceed five million dollars at any one time, of which amount not more than four million dollars shall be in connection with industrial projects and not more than one million dollars shall be in connection with projects for recreational facilities. (2) In addition to bonds and notes permitted under paragraph (1) above, the authority may issue bonds and notes in an amount not exceeding five million dollars at any one time on industrial facilities to be used for the following purposes: (a) For loans which shall not exceed thirty per cent of the appraised value of the industrial facility for which the loan is made. Payment of bonds or notes so issued may be subordinated to loans made by lending institutions operating under state or national charters. Such loans by the authority shall provide for amortization and interest rates at least equal to the terms contained in the loans made by the private lending institution and shall be secured by a second mortgage on the industrial facility. (b) For loans which may be made in participation with lending institutions operating under state or national charters, but such participation shall not exceed fifty per cent of the total granted by such institution and any such loan shall be secured by a first mortgage on said industrial facilities. Loans made under paragraph (2) hereof shall be limited to borrowers whose industrial facilities are located in New Hampshire and which have been displaced, acquired or condemned under federal, state, county or municipal redevelopment, rehabilitation and highway projects.

**308:7 Participation Mortgages.** Further amend RSA 162-A:6 as inserted by 1955, 254:6 [by] striking out paragraph (7) and inserting in place thereof the following: (7) to acquire in the name of the authority security by way of mortgage deed or otherwise any property title to which may be in any corporation or body other than the authority and upon which facilities may be developed or constructed as provided herein. Such security may be acquired by the authority solely in its own name or with private lending institutions. If the security is acquired with private lending institutions then the authority shall act in conformance to RSA 387.

**308:8 Authority to Join in Participation Loans.** Amend RSA 387 by adding after section 17-a (supp) as inserted by 1963, 326:1 and amended by 1967, 117:3 the following: **387:17-b Industrial Development Authority.** The Industrial Development Authority, an agency of the State of New Hampshire, shall be deemed qualified by state law to be an originating lender or a participating lender, within the meaning of this chapter and the definitions contained in paragraphs XIII, XIV and XV of section 1 of this chapter, in participation with any of the other kinds of institutions mentioned therein. Provided, however, that the authority granted by this section shall be limited to participation in mortgage loans as described in paragraphs I, II, III and VI of section 4 of this chapter.

**308:9 Tax Commission.** Amend RSA 162-D:7 (supp) as inserted by 1965, 75:1 by striking out said section and inserting in place thereof the

following: **162-D:7 Tax Exemption and Payment for Services in Lieu of Taxes.** Any such industrial facility owned by the state, county or municipality as provided by section 162-D:3 hereof is declared to be public property and shall be exempt from all taxes and special assessments of the state or any political subdivision thereof; provided that in lieu of such taxes and special assessments the state or any political subdivision thereof shall require any lessee, sublessee or occupant of any such industrial facility to make payments annually to the municipality in which an industrial facility is located, for its just share of the public expense, including but not limited to education, highway maintenance, fire and police protection and other similar public expenses and governmental services, and provided further that the state tax commission shall determine, after a hearing thereon, that such payments constitute a just share of the public expense.

**308:10 Non-profit Corporations.** Amend RSA 162-D as inserted by 1965, 75:1 by inserting after section 7 the following new section: **162-D:8 Voluntary Non-profit Corporations to Have Governmental Functions.** Any voluntary corporation or association formed under the provisions of RSA 292:1 for the purposes of taking advantage of the provisions of this chapter shall be a body politic and corporate constituting a public corporation.

**308:11 Bond Issues.** Any bonds previously issued by the industrial park authority under the provisions of RSA 162-A:9 and outstanding shall be deemed to be bonds and obligations of The Industrial Development Authority and nothing in this act shall be construed as affecting any of such outstanding obligations.

**308:12 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 30, 1967.]

[Effective date August 29, 1967.]

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## CHAPTER 309.

AN ACT PROVIDING FOR PENALTIES FOR FAILURE TO CONTRIBUTE TO A  
HEALTH AND WELFARE PENSION FUND.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**309:1 Penalty for Failure to Pay Health and Welfare Pension Fund Contributions.** Amend RSA 275 by inserting after section 52, as amended by 1963, 237:4, the following new section: **275:52-a Penalty for Failure to Pay Health and Welfare Pension Fund Contributions.** In addition to

any other penalty or punishment otherwise provided for by law, any person or employer, who is a party to a health and welfare fund trust agreement, a pension fund trust agreement, or any other such agreement, whereby he agrees to pay or provide the contributions required by any such agreement, and who refuses or wilfully fails or grossly neglects to pay such contributions or payments within thirty days after such payments are required to be made, shall be punished by a fine of five hundred dollars or by imprisonment of not more than one year, or by both such fine and imprisonment.

**309:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 310.

### AN ACT TO ESTABLISH AN ELEVATOR INSPECTION LAW.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**310:1 New Chapter.** Amend RSA by inserting after chapter 157-A as inserted by 1967, 236:1 the following new chapter:

#### Chapter 157-B

##### Elevators

**157-B:1 Title.** This chapter may be called the "Elevator Law."

**157-B:2 Definition.** In this chapter:

I. "Owner" means a person, partnership, association, or corporation who is the holder of title to, or who leases an elevator from the holder of title to a building in which there is an elevator as defined in this section, except an elevator for the exclusive use of the holder of title in his home.

II. "Commissioner" means the state labor commissioner.

III. "Standards" means regulations issued by the commissioner which establish the minimum safety requirements for elevators in use on or installed after the effective date of this chapter.

IV. "Elevator" means a hoisting and lowering mechanism equipped with a car or platform which moves in guides in a substantially vertical direction, and includes the doors, well, enclosures, means, and appurtenances required for its operation.

**157-B:3 New Elevators.** The provisions of the American Standard Safety Code for Elevators, Dumbwaiters, and Escalators as amended, and which are in effect on the effective date of this chapter, are the minimum requirements for all elevators, dumbwaiters, and escalators installed after the effective date of this section. The commissioner may issue and amend reasonable and practicable standards for the safe use, alteration, repair, and inspection of all elevators installed after the effective date of this chapter, after a public hearing.

**157-B:4 Existing Elevators.** The commissioner may issue and amend reasonable and practicable standards for the use, alteration, repair, operation, and inspection of all elevators in existence on the effective date of this chapter, after a public hearing.

**157-B:5 Inspections.** The owner of an elevator subject to the provisions of this chapter shall have the elevator inspected at least once each year by a qualified elevator inspector. Upon payment of a fee of two dollars per elevator and upon receipt of a report of the inspector that the elevator complies with the standards pertaining to the elevator, the commissioner shall have an inspection certificate issued to the owner. The owner shall have the inspection certificate posted under a glass cover in the elevator car.

**157-B:6 Suspension of Certificate.**

I. The commissioner may suspend an inspection certificate when an elevator does not meet the requirements of the standards established under this chapter. When an inspection certificate is suspended, the owner shall not permit the use of the elevator until a new certificate of inspection is issued for the elevator. The commissioner shall have a notice of the suspension of the inspection certificate posted at every entrance to the unsafe elevator, and he shall have the inspection certificate removed from the elevator car. The notice of suspension may be removed only by the authority of the commissioner. The commissioner shall notify the owner in writing of the suspension of the inspection certificate. The notice may be served on the owner by registered mail or otherwise.

II. The commissioner may prescribe by regulations the conditions to empower an elevator inspector or authorized representative of the commissioner to make an emergency suspension of the inspection certificate for a period of not more than twenty-four hours, to enable the commissioner to take action on the suspension under paragraph I of this section, or to enable the owner to make repairs on the elevator.

III. Any person who removes or defaces a notice of suspension of the inspection certificate without the authority of the commissioner may be fined not more than one hundred dollars or imprisoned for not more than three months, or both.



**157-B:7 First Inspection Certificate.** After one year from the effective date of the standards authorized by this chapter, it is unlawful for an owner to permit the operation of any elevator covered by this chapter, without an inspection certificate. An owner who permits the operation of any elevator without an inspection certificate in the elevator may be fined not more than five hundred dollars, or be imprisoned for not more than six months, or both.

**157-B:8 Inspectors.** An elevator inspector must pass an examination given by the commissioner, except in cases where an elevator inspector has proven experience in excess of five years within the state to the satisfaction of the commissioner. A license shall be issued to the inspector for a two-year period. A fee of ten dollars shall be charged for the initial examination and license. A license may be renewed every two years upon payment of a fee of five dollars. A person who holds a certificate or license of competency as an inspector of elevators from a state that has a standard of examination equal to that of this state may be issued a license without examination upon payment of a fee of five dollars. The commissioner may revoke any license issued by him for cause shown, after a hearing. The holder of a license under question shall receive seven days' written notice informing him of the charges against him and of the time and place of the hearing.

**157-B:9 Installation of New Elevators.** Detailed plans or specifications of each new or altered elevator shall be submitted to and approved by the commissioner or his authorized representative before the construction of the elevator may be started. Fee for examination of the plans or specifications is one dollar per thousand dollars of the valuation of the elevator as covered by the blue prints. The minimum fee is five dollars and the maximum fee is twenty-five dollars.

**157-B:10 Review by Commissioner.** Any owner affected by a ruling of the commissioner may petition the commissioner for a review of the validity or reasonableness of the ruling. The petition for review shall be filed within thirty days after receipt of a registered letter or after refusal of the owner to accept the registered letter containing a copy of the ruling addressed to the owner at the address given on the certificate of inspection or on any application addressed to the commissioner. Upon receipt of a petition the commissioner shall, if necessary, order a hearing. Notice of the time and place of the hearing shall be given to the petitioner and to other persons who the commissioner finds are interested in the issue raised.

**157-B:11 Appeals.** An owner aggrieved by any order or regulation of the commissioner may file a petition in the superior court against the commissioner to determine the validity and reasonableness of the commissioner's action. The petition shall be filed within thirty days after

the adoption of the order, or regulation, or, if a petition for review is filed, within thirty days after the decision upon the petition.

**157-B:12 Notice; Procedure.** Notice of the pendency of the appeal proceedings shall be given to the commissioner in any form the superior court orders. The petition, so far as practicable, shall have precedence over other actions in the same court. The order appealed from is prima facie valid and reasonable. The proceedings upon the petition shall be in accordance with proceedings in equity, as far as possible. The court shall make such order or decree as justice requires.

**157-B:13 Effect of Appeal.** During the pendency of any petition for review in the superior court, the filing of the petition shall not stay the order or regulation under review, but the court may, on application, on notice to the commissioner, and on cause shown, grant an order to restrain the commissioner from taking any further action on the order or regulation under review.

**157-B:14 Disposition of Fees.** The commissioner shall deposit all fees collected under this chapter with the state treasurer, to be credited to the department of labor to be used solely to defray the expenses of operation of this chapter and the fund shall not lapse. Money may be paid out of the fund on manifests approved by the commissioner.

**157-B:15 Notice of Accidents.** The owner shall report every elevator accident, whether or not it results in injury to a person or damage to the equipment, to the commissioner within forty-eight hours after its occurrence. The inspection certificate for the involved elevator may be suspended if a qualified inspector inspects the elevator and finds it to be unacceptable. An owner who willfully refuses or neglects to make such a report shall be fined not more than twenty-five dollars.

**157-B:16 Rules of Proceedings.** The commissioner may establish rules of proceedings for the conduct of hearings authorized under this chapter.

**157-B:17 Exception.** Notwithstanding other provisions of this chapter any elevator which is periodically inspected and tested for safety under a maintenance contract with the company which installed said elevator shall be exempt from the annual inspection requirements of section 5, so long as said maintenance contract is effective, and the inspection certificate as provided in section 5 shall be posted in the elevator car. Provided, however, that the other provisions of this chapter shall apply to the elevators covered by this exception.

**310:2 Safety and Health of Employees.** Amend RSA 277 by inserting after section 1 as amended by 1955, 291:1 and 1963, 220:1, the following new section: **277:1-a Elevator Law.** The provisions of RSA 157-B also apply to all places covered by section 1 of this chapter.

**310:3 Effective Date.** This act shall take effect January 1, 1968.

[Approved July 3, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 311.

### AN ACT PROVIDING FOR THE CLASSIFICATION OF CERTAIN SURFACE WATERS OF THE STATE.

WHEREAS, the Water Quality Act of 1965 provides that all states shall be granted the period until June 30, 1967 to adopt suitable water quality criteria governing the control of pollution of interstate waters within the boundaries of the several states, and

WHEREAS, said act further provides that the states shall be granted the same period to propose a plan of enforcement whereby the duly-adopted criteria shall be made effective with respect to said interstate waters, and

WHEREAS, the state of New Hampshire, by way of written notification from the office of the governor to the secretary of the department of health, education and welfare, has indicated an intent to comply with the foregoing requirements of the Water Quality Act, and

WHEREAS, the water pollution commission has completed the required investigations and hearings basic to the establishment of water quality standards which in the case of the New Hampshire pollution control statute corresponds to the preparation of stream classification recommendations and the enforcement thereof, and

WHEREAS, the General Court of the state of New Hampshire, as the official and final authority with regard to the adoption of stream classification affecting the surface waters of this state, desires to extend full cooperation and assistance in the mutual effort by state, interstate and federal authorities to enhance the quality of our water resources and to abate water pollution, now therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**311:1 Classification.** On and after the effective date of this act the following surface waters shall be classified in accordance with provisions of RSA 149:

I. Four unnamed brooks and their tributaries, in the towns of Northumberland and Stark, from their sources to the crests of the water supply intake dams for the village of Groveton, Class A.

II. Pearl Lake and all its tributaries, in the towns of Landaff, Lisbon, and Sugar Hill, from their sources to the outlet of Pearl Lake, being the water supply for Lisbon, Class A.

III. Unnamed tributaries to Mink Brook, in the town of Hanover, from their sources to the crest of the intake dam for the Hanover Water Works Company, Class A.

IV. Beaver Brook and all its tributaries including Hall Pond, in the town of Charlestown, from their sources to the crest of the water supply dam for the village of Charlestown, Class A.

V. An unnamed brook and all its tributaries, in the town of Walpole, from their sources to the crest of the water supply dam for the village of North Walpole, Class A.

VI. Mad Brook and all its tributaries, in the town of Walpole, from their sources to the crest of the water supply dam for the village of Walpole, Class A.

VII. Kilburn Brook and all its tributaries including Kilburn Pond, in the towns of Chesterfield, Hinsdale and Winchester, from their sources to the crest of the water supply dam for the town of Hinsdale, Class A.

VIII. Fassett Brook and all its tributaries, in the town of Jaffrey, from their sources to the crest of the water supply dam for the town of Troy, Class A.

IX. Goose Pond and all its tributaries, in the city of Keene, and the town of Gilsum, from their sources to the crest of the water supply dam for the city of Keene, Class A.

X. Roaring Brook and all its tributaries including Babbidge Reservoir and Woodward Pond, in the towns of Harrisville, Marlborough, Nelson, and Roxbury, from their sources to the crest of the water supply intake dam for the city of Keene, Class A.

XI. Poole Reservoir and all its tributaries, in the town of Jaffrey, from their sources to the crest of the water supply dam for the town of Jaffrey, Class A.

XII. Bullet Pond and all its tributaries, in the town of Rindge, from their sources to the crest of the water supply dam for the town of Jaffrey, Class A.

XIII. Cunningham Pond and all its tributaries, in the town of Peterborough, from their sources to the crest of the water supply dam for the Peterborough Water Works, Class A.

XIV. Town Line Brook and all its tributaries, in the towns of Peterborough, Sharon, and Temple, from their sources to the crest of the water supply dam for the Peterborough Water Works, Class A.

XV. Davis Brook and all its tributaries, in the town of Hancock, from their sources to the crest of the water supply dam for the town of Hancock, Class A.

XVI. An unnamed brook and its tributaries, in the town of Bennington, from their sources to the crest of the water supply dam for the town of Bennington, Class A.

XVII. Campbell Pond and all its tributaries, in the town of Antrim, from their sources to the crest of the water supply dam for the town of Antrim, Class A.

XVIII. Bear Pond and all its tributaries, in the town of Warner, from their sources to the outlet of Bear Pond, the water supply for the village of Contoocook, Class A.

XIX. Silver Lake and all its tributaries, in the town of Warner, from their sources to the crest of the water supply dam for the town of Warner, Class A.

XX. Walker Pond and all its tributaries, in the town of Boscawen, Salisbury and Webster, from their sources to the crest of the water supply dam for the town of Boscawen, Class A.

XXI. Mill Brook and Stockwell Reservoir and all their tributaries, in the towns of Greenfield, Lyndeborough, Peterborough, Temple, and Wilton, from their sources to the crest of the water supply dams for the town of Wilton, Class A.

XXII. An unnamed pond and all its tributaries, in the town of Meredith, from their sources to the crest of the water supply dam for the town of Meredith, Class A.

XXIII. Knowles Pond and all its tributaries, in the town of Northfield, from their sources to the crest of the water supply dam for Tilton and Northfield Aqueduct Company, Class A.

XXIV. An unnamed tributary to Tioga River, on the northeast slope of Bean Hill in the town of Northfield, from its source to the crest of the intake dam for the Tilton and Northfield Aqueduct Company, Class A.

XXV. Penacook Lake and all its tributaries, in the city of Concord, from their sources to the crest of the water supply dam for the city of Concord, Class A.

XXVI. Pinnacle Pond and all its tributaries, in the town of Hooksett, from their sources to the outlet of Pinnacle Pond, the water supply for Hooksett Village Water Precinct, Class A.

XXVII. Brickyard Brook and all its tributaries, in the towns of Hooksett and Bow, from their sources to the crest of the intake dam for the Hooksett Village Water Precinct, Class A.

XXVIII. Black Brook and all its tributaries, in the city of Manchester and the towns of Bow, Dunbarton, Goffstown, and Hooksett, from their sources to the crest of a proposed dam to be constructed for the Manchester Water Works approximately six-tenths of a mile downstream of the Goffstown-Manchester town line, Class A.

XXIX. The Upper Ammonoosuc River from the confluence of Phillips Brook to its confluence with the Connecticut River, in the town of Northumberland and Stark, Class B.

XXX. The unclassified tributaries to the Upper Ammonoosuc River, in the towns of Northumberland, Stark, and Stratford, from their sources to their confluence with the Upper Ammonoosuc River, except those tributaries to Roaring Brook which are sources of public water supply for Groveton, Class B.

XXXI. Israel River and all its tributaries from the Jefferson-Lancaster town line to its confluence with the Connecticut River, in the towns of Northumberland, Lancaster, and Stark, and the unincorporated place of Kilkenny, Class B.

XXXII. Johns River from the outlet of Hazens Pond to its confluence with the Connecticut River, in the towns of Whitefield and Dalton, Class B.

XXXIII. Ammonoosuc River and all its tributaries from the downstream side of Pierce Bridge on U. S. Highway Route 302 in Bethlehem to its confluence with the Connecticut River, in the towns of Dalton, Whitefield, Bethlehem, Littleton, Lisbon, Lyman, Monroe, Bath, Haverhill, Landaff, and Sugar Hill, except Pearl Lake and its tributaries which is the water supply source for Lisbon, Class B.

XXXIV. Mascoma River from the upstream side of Goodwin's Bridge, located approximately 1000 feet downstream of the Lebanon Water Works, to the downstream side of the Hanover Street Bridge in the city of Lebanon, Class B.

XXXV. Mascoma River, from the downstream side of the Hanover Street Bridge to its confluence with the Connecticut River, and Great Brook, from the concrete dam at the "Scrape" to its confluence with the Mascoma River, in the city of Lebanon, Class C.

XXXVI. Sugar River from the outlet of Lake Sunapee to a point just upstream of the outfall from the City of Claremont Water Reclamation Plant, in the city of Claremont and the towns of Newport and Sunapee, Class B.

XXXVII. Sugar River from a point just upstream of the outfall from the City of Claremont Water Reclamation Plant to its confluence with the Connecticut River, in the city of Claremont, Class C.

XXXVIII. Ashuelot River from the Surry-Keene town line to the downstream side of the bridge on the private roadway from Main Street to the A. C. Lawrence Leather Company plant in Winchester, in the city of Keene and the towns of Swanzey and Winchester, Class B.

XXXIX. Ashuelot River from the downstream side of the bridge on the private roadway from Main Street to the A. C. Lawrence Leather Company plant in Winchester to its confluence with the Connecticut River, in the towns of Winchester and Hinsdale, Class C.

XL. All hitherto unclassified tributaries to the Ashuelot River in the city of Keene and the towns of Alstead, Surry, Gilsum, Sullivan, Roxbury, Harrisville, Chesterfield, Swanzey, Marlborough, Dublin, Hinsdale, Winchester, Richmond, Troy, Fitzwilliam, and Jaffrey, except those surface waters which are sources of public water supply for Keene, Hinsdale, and Troy, but including Kidder's Pond and Kidder's Pond Brook in the town of Alstead, Class B.

XLI. Connecticut River from the crest of Murphy Dam at Lake Francis in the town of Pittsburg to the New Hampshire-Massachusetts state line, in the cities of Lebanon and Claremont and the towns of Pittsburg, Clarksville, Stewartstown, Colebrook, Columbia, Stratford, Northumberland, Lancaster, Dalton, Littleton, Munroe, Bath, Haverhill, Piermont, Orford, Lyme, Hanover, Plainfield, Cornish, Charlestown, Walpole, Westmoreland, Chesterfield, and Hinsdale, Class B.

XLII. All tributaries to the Connecticut River, in the town of Winchester, which flow into Massachusetts before joining the Connecticut River, from their sources to the state line, Class B.

XLIII. All other hitherto unclassified tributaries to the Connecticut River not specifically listed above, from their sources to confluence with the Connecticut River, Class B.

XLIV. All tributaries to the Saco River, in the town of Eaton which flow into Maine before joining the Saco River, from their sources to the state line, Class B.

XLV. Androscoggin River from its source at the outlet of Lake Umbagog in the town of Errol to the downstream side of the highway bridge on Bridge Street, Berlin, in the towns of Errol, Cambridge, Dummer, Milan, and the city of Berlin, Class B.

XLVI. Androscoggin River from the downstream side of the highway bridge on Bridge Street, Berlin, to the Maine-New Hampshire state line, in the city of Berlin and the towns of Gorham and Shelburne, Class C; provided, however, that the water pollution commission is empowered to impose such additional requirements from time to time in cooperation with the water improvement commission of Maine as it shall deem reasonably necessary to insure the maintenance of the quality of water in

the Androscoggin River within the state of Maine in accordance with the C classification adopted for said river under the water pollution control laws of Maine.

XLVII. Pemigewasset River and all its hitherto unclassified tributaries from the crest of Eastman Falls dam to its confluence with the Winnepesaukee River to form the Merrimack River, in the city of Franklin, Class B.

XLVIII. All the surface waters of the Winnepesaukee River watershed hitherto unclassified, in the towns of Alton, Ashland, Belmont, Brookfield, Center Harbor, Gilford, Holderness, Meredith, Middleton, Moultonborough, New Durham, New Hampton, Northfield, Ossipee, Sanbornton, Sandwich, Tilton, Tuftonboro, and Wolfeboro, and the cities of Franklin and Laconia, from their sources to confluence with the Pemigewasset River to form the Merrimack River, except the sources of surface water supplies for Meredith and Tilton-Northfield, Class B.

XLIX. Merrimack River from its source in Franklin at the confluence of the Pemigewasset and Winnepesaukee rivers to the crest of the Public Service Company of New Hampshire's Amoskeag dam in Manchester, in the cities of Franklin, Concord, and Manchester and the towns of Northfield, Boscawen, Canterbury, Bow, Pembroke, Allenstown, and Hooksett, Class B.

L. Merrimack River from the crest of the Public Service Company of New Hampshire's Amoskeag dam in Manchester to its confluence with Cohas Brook, in the city of Manchester and town of Bedford, Class C.

LI. Merrimack River from its confluence with Cohas Brook at the Manchester-Litchfield town line to its confluence with the Nashua River in the cities of Manchester and Nashua and the towns of Bedford, Litchfield, Merrimack, and Hudson, Class B.

LII. Merrimack River from its confluence with the Nashua River in Nashua to the New Hampshire-Massachusetts state line in the city of Nashua and town of Hudson, Class C.

LIII. Contoocook River and all its tributaries hitherto unclassified, in the city of Concord, and the towns of Rindge, New Ipswich, Temple, Sharon, Jaffrey, Peterborough, Dublin, Greenfield, Hancock, Bennington, Antrim, Frankestown, Deering, Hillsborough, Henniker, Weare, Hopkinton, Goshen, Bradford, Warner, Webster, Boscawen, Newbury, Sutton, Salisbury, and New London, except the surface public waters supplies for Jaffrey, Peterborough, Hancock, Bennington, Antrim, Warner, Contoocook, and Boscawen, from their sources to confluence with the Merrimack River, Class B.

LIV. Souhegan River and all its tributaries, in the towns of New Ipswich, Greenville, Mason, Temple, Wilton, Milford, Amherst, Merri-



mack, Greenfield, Lyndeboro, Mont Vernon, New Boston, Goffstown, and Bedford, except the surface public water supply for Wilton, from the Massachusetts-New Hampshire state line to its confluence with the Merrimack River, Class B.

LV. All hitherto unclassified tributaries to the Merrimack River, in the towns of Plaistow and Newton, which flow into Massachusetts before joining the Merrimack River, from their sources to the state line, Class B.

LVI. All other hitherto unclassified tributaries to the Merrimack River not specifically listed above from their sources to confluence with the Merrimack River, Class B.

LVII. Hampton Harbor and all its tributaries, in the towns of Exeter, Hampton, Hampton Falls, Kensington, North Hampton, Seabrook, and Stratham, from their sources to the Atlantic Ocean, Class B.

LVIII. Little River and all its tributaries, in the towns of Hampton, North Hampton, and Rye, from their sources to the Atlantic Ocean, Class B.

LIX. All other tributaries to the Atlantic Ocean from Odiornes Point in Rye to the New Hampshire-Massachusetts state line, in the towns of Hampton, North Hampton, Rye, and Seabrook, from their sources to the Atlantic Ocean, Class B.

LX. All hitherto unclassified portions of the Atlantic Ocean within the jurisdiction of the state, Class B.

LXI. All other surface waters of the coastal watershed hitherto unclassified which have not been included in paragraphs LVII, LVIII, and LIX above, Class B.

LXII. All other unclassified surface waters in the state not included in the above summary, but not public water supplies, Class B.

LXIII. All other surface public water supplies in the state not included in the above summary and which have not yet been so classified, Class A.

**311:2 Reclassification.** On and after the effective date of this act the following surface waters shall be reclassified in accordance with provisions of RSA 149:

I. The Upper Ammonoosuc River and all its tributaries, in the city of Berlin, the town of Randolph, and the unincorporated place of Killenny, from their sources to the crest of the water supply dam (Godfrey Dam) for the city of Berlin, Class A.

II. Cherry Mountain Brook and all its tributaries, in the town of Carroll, from their sources to the crest of the water supply dam for the village of Carroll, Class A.

III. Juggernaut Pond and all its tributaries, in the town of Hancock, from their sources to the outlet of said pond, a part of the water supply for the Hancock Water Works, Class A.

IV. Berry Pond and all its tributaries, in the town of Pittsfield, from their sources to the outlet of said pond, the water supply for the town of Pittsfield, Class A.

V. Pemigewasset River from its confluence with East Branch Pemigewasset River in the town of Woodstock to its confluence with Hubbard Brook in the town of Thornton, Class C.

VI. Pemigewasset River from its confluence with Hubbard Brook in the town of Thornton to the crest of Eastman Falls dam in the city of Franklin, in the towns of Thornton, Campton, Holderness, Plymouth, Ashland, Bridgewater, New Hampton, Bristol, Hill, and Sanbornton and the city of Franklin, Class B.

VII. East Branch Pemigewasset River from the dam of the Franconia Paper Company in the town of Lincoln to its confluence with Pollard Brook in Lincoln, Class B.

VIII. East Branch Pemigewasset River from its confluence with Pollard Brook in the town of Lincoln to its confluence with the Pemigewasset River in the town of Woodstock, Class C.

IX. Baker River, in the town of Plymouth, from a point 300 feet upstream from the site of the former bridge abutment of the defunct Plymouth to Woodsville branch of the Boston and Maine Railroad to its confluence with the Pemigewasset River, Class B.

X. Squam River, in the town of Ashland, from the outlet of Little Squam Lake to its confluence with the Pemigewasset River, Class B.

XI. Newfound River, in the town of Bristol, from the highway bridge on Route 3A (Lake Street) between Chandler and Crescent streets to its confluence with the Pemigewasset River, Class B.

**311:3 Water Supply and Pollution Control Commission.** Amend RSA 149 by inserting after section 3, as amended by 1955, 82:1; 1963, 26:2; 1963, 47:1; and 1967, 147 the following new section: **149:3-a Policies.** It is hereby declared, as a matter of legislative intent, that the water supply and pollution control commission in the enforcement of this and other legislation dealing with classification of the surface waters of the state shall adhere to the following policies:

I. Insofar as practicable, the initial objective of the control program will be to obtain the installation of primary treatment (with adequate disinfection where sewage discharges are involved) for all discharges of sewage and industrial wastes.

II. The second objective will be to require the installation of secondary treatment whenever such additional treatment is necessary to protect the uses assigned to the particular stream classification.

III. The third objective, after all stream classification requirements throughout the state have been satisfied, will be to continue the program of pollution abatement by installing other forms of treatment desirable to maintain all surface waters of the state in as clean a condition as possible, consistent with available assistance funds and technological developments.

IV. Until such time as appropriate methodology and reasonable levels of financial assistance are made available, municipalities with combined sewer systems shall not be required to provide treatment facilities with capacity greater than that necessary to handle anticipated peak dry weather flows.

**311:4 Classification of Interstate Waters.** All classifications adopted in previous sessions of the general court for surface waters of the state which are of an interstate nature, including but not limited to the following: Saco River, Piscataqua River, Great and Little Bays, Nashua River, Spicket River, Powwow River, Little River, and Beaver Brook in the towns of Derry and Pelham, are hereby declared to be acceptably classified for present and future known uses.

**311:5 Membership of Commission.** Amend paragraph I of RSA 149:2 (supp) as amended by 1955, 96:1; 1961, 222:1 and 223:3; 1965, 267:2; and 1967, chapter 147, section 2 by striking out the same and inserting in place thereof the following: I. There is hereby created a commission to be known as the New Hampshire water supply and pollution control commission which shall consist of thirteen members, as follows: one member to be appointed by the governor with the consent of the council for a term of six years, who shall be the chairman of said commission; a member representing the public who shall be appointed by the governor with the consent of the council for a term of six years, who shall be vice-chairman of said commission; the director, division of public health services; the director of the fish and game department; the director of the division of parks; the director of the planning and research office, the division of economic development; the chairman of the water resources board; the commissioner of the department of safety; five members-at-large, two of whom shall represent the industrial interests of the state, one of whom shall represent the vacation home or private recreational interests of the state, one of whom shall represent the agricultural interests of the state, and the other an employee of any municipal or privately-owned water works in the state. The members-at-large shall be appointed by the governor with the consent of the council, and each shall hold office for six years and until his successor shall be appointed and qualified. All appointive members shall receive no compensation for their services but

shall receive necessary traveling and other expenses while engaged in actual work of the commission. The other members of the commission shall receive no additional compensation for their services as members of this commission other than their regular salaries or per diem expenses from their respective state departments, but shall receive their necessary traveling and other expenses while engaged in actual work of the commission, which said expenses shall be paid from the appropriations of this commission.

**311:6 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 312.

AN ACT RELATIVE TO THE SALARY OF THE SHERIFF OF STRAFFORD COUNTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**312:1 Strafford County Sheriff.** Amend RSA 104:29 (supp) as amended by 1955, 172:1, 247:1, 1957, 156:1, 309:4, 1961, 175:1, 1963, 129:1, 1965, 162:1, 190:1 and 263:1 by striking out paragraph I as amended by 1967, 153:1 and 201:3 and inserting in place thereof the following: I. The annual salaries of the sheriffs of the below named counties shall be as follows:

- (a) In Merrimack, two thousand dollars.
- (b) In Hillsborough, two thousand four hundred dollars.
- (c) In Coos, two thousand dollars.

Further amend said section by inserting after paragraph VII (supp) as inserted by 1967, 201:1 the following new paragraph VIII. In Strafford the annual salary of the sheriff shall be nine thousand five hundred dollars. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. For the service of civil writs and other process which he may perform he shall collect the usual fees allowed for such services and mileage and shall pay over directly to the county treasurer all such fees and mileage charges at the end of each month. He shall in

his annual report to the county commissioners report the number of civil writs and other process served and the total amounts collected in fees and mileage charges paid over to the treasurer during the calendar year.

**312:2 Effective Date.** This act shall take effect January 1, 1968.

[Approved July 3, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 313.

AN ACT RELATIVE TO PAYMENT OF TAXES UPON PROPERTY SOLD BY TAX SALE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**313:1 Collection of Taxes.** Amend RSA 80:37 by striking out said section and inserting in place thereof the following: **80:37 Payment of Subsequent Tax.** The purchaser of real estate at any tax sale may pay to the collector any tax assessed upon the real estate subsequent to that for which it was sold and the collector shall, within fifteen days after such payment, notify the register of deeds thereof, giving the date and the amount of such payment and the name of the person so paying together with the date of the tax sale, the name of the person taxed and a description of the property sold as shown in the report of sale recorded in the registry of deeds. The collector of taxes shall receive fifty cents for such notice to the register of deeds of the subsequent payment plus fifty cents to be paid to the register of deeds. The purchaser, within fifteen days of payment of the subsequent tax, shall personally, or by certified mail, notify in writing any mortgagee who was notified of his purchase at the tax sale of his payment of the subsequent tax. The purchaser paying the subsequent tax shall receive the same fees prescribed for notifying the mortgagee of his purchase at the tax sale to be included in his costs to be paid by the person making redemption, except that when a town is a purchaser at a tax sale and the town pays a tax subsequent to that for which the real estate was sold and the selectmen direct the collector of taxes as agent for the town to give the notice of payment of a subsequent tax to any mortgagee who was notified of the purchase by the town at the tax sale the collector shall be paid the sum of one dollar for this service. Any amounts so paid on account of subsequent taxes, together with interest thereon at the rate of eight per cent per year from the date of payment shall, in addition to the purchase price at the time of sale with accrued interest and costs, be paid by the person making redemption.

**313:2 Notice to Mortgagees.** Amend RSA 80:30 by striking out the same and inserting in place thereof the following: **80:30 — Fees for Notice.** The purchaser at a tax sale shall recover, upon redemption, for each

notice to a mortgagee, one dollar, together with expenses for sending the notice by registered mail, or mileage each way at ten cents per mile for travel to serve the notice.

**313:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 314.

AN ACT TO REQUIRE THE USE OF THE STATE SEAL ON THE AUTOMOBILE LICENSE PLATES OF MEMBERS OF THE GENERAL COURT  
AND RELATIVE TO SPARE TIRES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**314:1 State Seal on Legislative Number Plates.** Amend RSA 260 by inserting after section 10-a, as inserted by 1957, 8:1, the following new section: **260:10-b State Seal.** On the special number plates issued under the provisions of section 10 to members of the senate or their spouses and members of the house of representatives or their spouses there shall be a reproduction of the seal of the state. If requested, United States senators from this state, representatives to congress from this state, the governor, members of the governor's council, president of the senate, and speaker of the house of representatives may have special motor vehicle plates with the reproduction of the state seal thereon. The fee for such special number plates shall be one dollar. The plates with the reproduction of the state seal, exclusive of the seal, shall be white with green lettering. The special plates issued hereunder for the year 1968 shall be effective until January 1, 1969 and thereafter the said special plates shall be effective for a period of two years. Nothing herein shall be construed as affecting the issuance of regular motor vehicle plates and the payment of the registration fee therefor.

**314:2 Inspection of Spare Tires Prohibited.** Amend RSA 260 by inserting after section 14, as amended by 1965, 240:6, the following new section: **260:14-a Inspection of Spare Tires Prohibited.** Notwithstanding the provisions of section 14, the director may not authorize the inspection of any tire carried as a spare tire by any motor vehicle, trailer, or semi-trailer.

**314:3 Spares not Deemed Mounted Tires.** Amend RSA 263:84, as inserted by 1965, 299:1, by inserting at the end thereof the following words (A spare tire shall not be deemed to be a "tire mounted on a motor

vehicle or trailer" for the purposes of this subdivision.) so that said section as amended shall read as follows: **263:84 Tire Requirements.** It shall be unlawful to operate a motor vehicle or trailer upon the public highways unless such motor vehicle or trailer is equipped with tires in safe operating condition in accordance with requirements established by the director of motor vehicles. No tire mounted on a motor vehicle or trailer shall be deemed to be in safe operating condition unless it meets the visual and tread depth requirements set forth in this subdivision. A spare tire shall not be deemed to be a "tire mounted on a motor vehicle or trailer" for the purposes of this subdivision.

**314:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 315.

AN ACT PERMITTING THE SALE OF BEVERAGES BY RESTAURANTS ON ELECTION DAYS AND RELATIVE TO RESTRICTIONS ON SALES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**315:1 Sale of Beverages.** Amend RSA 181 by inserting after section 4 as amended by 1963, 158:1 and 266:1 the following new section: **181:4-a Election Day Sales.** Notwithstanding any other provisions of law restaurants holding on-sale permits under the provisions of section 4 shall be permitted to sell beverages on election days.

**315:2 Restrictions on Sales.** Amend RSA 176:11 (supp) as amended by 1963, 50:1, 158:3 and 1965, 50:1 by striking out the section and inserting in its place the following: **176:11 Rules and Regulations; Restrictions on Sales.** Said commission shall have the power to make all necessary and proper rules and regulations for carrying out the provisions hereof, and such rules and regulations shall have the effect of law. No sale of liquor or beverages shall be made on Sundays except by persons holding licenses or permits under the provisions of RSA 178:3, 3-a, 3-c, 4, 6, 7, 8, 9, RSA 181:5, provided that persons holding licenses under the provisions of RSA 178:3, 3-a when making sales of beverages on Sundays shall sell only to bona fide guests with meals in the dining room or in the rooms of guests. Liquor or beverages shall not be sold in any establishment where booths that are not open at the end are used for serving patrons. Costumers may be erected and attached to the ends of booths. Such costumers shall be of such design and constructed in such manner as approved by the commission.

**315:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 316.

### AN ACT INCREASING THE SALARY OF THE COUNTY COMMISSIONERS OF ROCKINGHAM COUNTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**316:1 Rockingham County Commissioners.** Amend RSA 28:28 (supp) as amended by 1955, 247:4 and 269:1, 1957, 182:1 and 246:1, 1961, 80:1, 157:1 and 210:1, 1963, 94:1 and 329:2, 1965, 142:1, 191:1 and 262:1, and by a law enacted by the 1967 General Court relative to salaries of Grafton county commissioners by striking out in line three the words "three thousand" and inserting in place thereof the words (thirty-five hundred) so that said section, as amended, shall read as follows: **28:28 Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, thirty-five hundred dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Carroll, eighteen hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, forty-five hundred dollars.

In Cheshire, two thousand dollars.

In Sullivan, eighteen hundred dollars.

In Grafton, twenty-one hundred and fifty dollars.

In Coos, two thousand dollars.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

**316:2 Effective Date.** This act shall take effect July 5, 1967 provided that the increase in the salary of the commissioners of Rockingham county provided for by this act shall not take effect until January 1, 1968.

[Approved July 3, 1967.]

[Effective date July 5, 1967 —

Rockingham County effective date January 1, 1968.]



**CHAPTER 317.****AN ACT INCREASING THE SALARY OF THE STRAFFORD COUNTY COMMISSIONERS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**317:1** **Strafford County Commissioners.** Amend RSA 28:28 (supp), as amended by 1955, 247:4, 269:1, 1957, 182:1, 246:1, 1961, 80:1, 157:1, 210:1, 1963, 94:1, 329:2, 1965, 142:1, 191:1, 262:1 and two acts enacted by the 1967 General Court both relative to the salaries of county commissioners one of Grafton county and one of Rockingham county by striking out in line four the words "In Strafford, fifteen hundred dollars" and inserting in place thereof the words (In Strafford, two thousand dollars) so that the section as amended shall read as follows: **28:28 Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, thirty-five hundred dollars.

In Strafford, two thousand dollars.

In Belknap, fifteen hundred dollars.

In Carroll, eighteen hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, forty-five hundred dollars.

In Cheshire, two thousand dollars.

In Sullivan, eighteen hundred dollars.

In Grafton, twenty-one hundred and fifty dollars.

In Coos, two thousand dollars.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

**317:2** **Effective Date.** This act shall take effect July 10, 1967 provided that the increase in the salary of the commissioners of Strafford county and Rockingham county provided for by this act shall not take effect until January 1, 1968.

[Approved July 3, 1967.]

[Effective date July 10, 1967.]

Strafford and Rockingham Counties  
effective date January 1, 1968.]

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**CHAPTER 318.****AN ACT TO RECLASSIFY A CLASS V HIGHWAY IN THE TOWN OF WHITEFIELD TO A CLASS II HIGHWAY.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**318:1** **Class V Highway in Whitefield.** After the effective date of this

act, 1.67 miles of Class V highway in the town of Whitefield known as Airport Road, running from Route 116 easterly 1.67 miles to the Whitefield airport, is classified as a Class II highway.

**318:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 319.

AN ACT RELATIVE TO PETITIONS TO PERMIT A PERSON UNDER THE AGE OF  
CONSENT TO MARRY.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**319:1 Special Cases.** Amend RSA 457:6 (supp) as amended by 1965, 121:1 by inserting after the word "state" in line four and inserting in place thereof the words (either person being), and by striking out the words "who is below such age" in line nine so that said section as amended shall read as follows: **457:6 Petition by Party Under Age.** If special cause exists rendering desirable the marriage of a person resident in this state, or the marriage of a person who is a non-resident in this state who applies for permission to marry a resident in this state, either person being below the age of consent and above the ages specified in section 4, the parties desiring to contract such marriage, with the parent or guardian having the custody of such party below such age, if there be such parent or guardian, may apply in writing to a justice of the superior court, or to the judge of probate of the county in which one of them resides, for permission to contract such marriage.

**319:2 Fee Provided.** Amend RSA 457 by inserting after 457:6 (supp) as amended by 1965, 121:1 the following new section: **457:6-a Fee.** The fee of the register of probate issuing a certificate of any marriage waiver shall be three dollars, to be paid by the parties.

**319:3 Effective Date.** This act shall take effect on passage.

[Approved July 3, 1967.]

[Effective date July 3, 1967.]

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## CHAPTER 320.

AN ACT TO TAX THE TRANSFER OF REAL PROPERTY.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**320:1 Tax on Transfer of Real Property.** Amend RSA by inserting

after chapter 78-A (supp) as inserted by 1967, 213:1 the following new chapter:

### **Chapter 78-B**

#### **Tax on Transfer of Real Property**

**78-B:1 Transfer Tax.** A tax is imposed upon the sale, granting, and transfer of real estate and any interest therein, other than by devise or by the laws regulating interstate succession and decent. The rate of the tax is ten cents per one hundred dollars, or fractional part thereof, of the price or consideration for such a sale, grant, or transfer; except that where the price or consideration is less than one hundred dollars there shall be no tax, and, except as exempted by section 2 of this chapter.

**78-B:2 Exceptions.** The tax imposed by this chapter does not apply

(a) to a transfer of title to the state, a state agency, a county, a city, a town, a school district, or a village district;

(b) to the United States, or any agency or instrumentality thereof;

(c) to a mortgage or other instrument given to secure payment of a debt or obligation;

(d) to a discharge or mortgage or other instrument solely to release security for a debt or obligation;

(e) to a deed or other instrument which corrects a deed or other instrument previously given;

(f) to a deed given by a collector of taxes for property purchased at a tax sale.

**78-B:3 Evidence of Payment.** The payment of the tax imposed by this chapter shall be evidenced by stamps or other indicia as approved by the tax commission attached to the instrument in writing by which any real estate or any interest in real estate is sold, granted, assigned, transferred or otherwise conveyed to or vested in the purchaser, or grantee, or in any other person by the purchaser's or grantee's direction.

**78-B:4 Payment of Tax by Purchaser.** It is the duty and obligation of each purchaser, grantee, assignee, transferee or other person purchasing or acquiring any real estate or any interest therein to buy and attach to the instrument by which the real estate of interest therein is sold, granted, assigned, or otherwise transferred stamps or in lieu thereof other indicia as approved by the tax commission in such amount as will indicate the full consideration paid for the real estate or any interest therein, acquired by him.

**78-B:5 Stamps and Indicia.** The tax commission shall determine and prescribe the size, shape and design of the stamps and their denominations, and shall approve the use of any machine or mechanical device used to produce indicia of payment of the tax imposed by this chapter. Stamps shall be for sale at the division of tobacco products of the state

tax commission and at the registry of deeds in each county, and at such other places as the state tax commission shall determine.

**78-B:6 Recording.** The stamps or other indicia of payment of the tax imposed by this chapter shall be attached to the deed, assignment or other instrument in writing before recording the same unless the instrument bears a statement that the transaction is not subject to the tax imposed by this chapter.

**78-B:7 False Statements.** If any purchaser, grantee, assignee, transferee, or other person or corporation acquiring any real estate or an interest therein falsely states in writing upon any instrument to be recorded that no stamps are required, or attaches to the instrument an amount of stamps that indicate a purchase price or consideration less than that actually paid by him, he shall be fined not more than one hundred dollars or imprisoned not more than sixty days, or both, and he shall be required to purchase and affix the necessary stamps.

**78-B:8 Administration.** This chapter shall be administered by the tax commission. The tax commission may establish such reasonable rules and regulations as may be necessary or desirable for the proper administration of this chapter. There is hereby appropriated the sum of twelve thousand dollars which shall be credited to the appropriation for the tobacco products tax division of the tax commission. The governor is authorized to draw his warrant for this sum out of any money in the treasury not otherwise appropriated. This sum shall constitute a continuing fund to be used to defray the cost of stamps, any approved machine or mechanical device furnished to registers of deeds or the tobacco products tax division of the tax commission to be used to produce indicia of payment of the tax, transportation, commission to be paid to register of deeds, and other incidental expenses and for no other purpose than the administration of this chapter. Each register of deeds shall be paid for his services four per cent of the face value of the stamps or other approved indicia of payment of the tax sold in his registry, and all taxes so collected shall be remitted to the tax commission monthly or oftener. Each register of deeds shall give bond in such form and amount as the tax commission shall determine and the cost thereof shall be paid by the state as an expense of administering this chapter. All funds received from the sale of stamps and other approved indicia shall be credited to the fund established above, no portion of which shall lapse, but whenever the fund exceeds twelve thousand dollars, the excess shall be paid over to the treasurer.

**320:2 Effective Date.** This act shall take effect sixty days after its passage, provided however that RSA 78-B:8 as inserted by section 1 of the bill shall not take effect and no money appropriated thereby shall be expended until the date on which the federal, so-called, documentary stamp tax on the transfer of real property ceases to be effective; and provided further that all other sections of said RSA 78-B shall not take effect

until a date after the effective date of section 8 proclaimed by the tax commission with the approval of governor and council, which date in no case shall be later than six months after the effective date of said section 8.

[Approved July 3, 1967.]

[Effective date as specified.]

Effective Date Changed by 1967, 335:5 so that RSA 78-B:8 is effective July 1, 1967 and the entire balance of chapter 78-B is effective January 2, 1968.]

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## CHAPTER 321.

### AN ACT RELATIVE TO THE PRACTICE OF BARBERING.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**321:1 Barbering.** Amend RSA 313:9 as amended by 1965, 218:1 by striking out said section and inserting in place thereof the following:

**313:9 — Qualifications.** Any person is qualified to receive a certificate of registration to practice barbering:

I. Who is at least eighteen years of age; and

II. (a) Who has satisfactorily completed a course of instruction of one thousand hours, in not less than six months in a school of barbering approved by the board and in addition has a total experience as an apprentice of a period of at least twelve months under a licensed barber; or

(b) Has satisfactorily completed a course of instruction of one thousand five hundred hours in not less than nine months in a school of barbering approved by the board and in addition has a total experience as an apprentice of a period of at least six months under a licensed barber; or

(c) Has a total experience of three thousand hours in the practice of barbering or as an apprentice distributed over a period of at least twenty-four months under the supervision of a registered barber of five years' experience in this state; and

III. Who has passed a satisfactory examination conducted by the board to determine his fitness to practice barbering.

Any person is qualified to receive a certificate of registration as a registered apprentice who is at least sixteen years of age and has paid the required fee.

**321:2 Additional Requirements.** Amend RSA 313 by inserting after section 9 the following new section: **313:9-a — Educational Qualifications.** In addition to any other qualifications any person applying to the board for examination or who makes application for a certificate as a registered

apprentice shall file with the board a certificate showing completion of the tenth grade in a high school or a certificate issued by the department of education in this or any other state of completion of courses equivalent to the tenth grade.

**321:3 Reciprocity.** Amend RSA 313:13 by striking out said section and inserting in place thereof the following: **313:13 Barbers From Other States.** Any person who is (a) at least eighteen years of age; (b) has a license or certificate of registration as a practicing barber from another state or country which has substantially the same requirements for licensing or registering barbers as required by this chapter; (c) who can prove by sworn affidavits that he has practiced as a barber in another state or country for at least five years immediately prior to making application in this state, shall upon payment of the required fee be granted permission to take an examination to determine his fitness to receive a certificate of registration to practice barbering. Should he fail to pass the required examination, he may file a new application accompanied by the required fee and take another examination. In no event will he be permitted to practice barbering until such time as he satisfactorily passes an examination and receives a certificate of registration as a registered barber. Any apprentice who is at least sixteen years of age and has a certificate of registration as an apprentice in a state or country which has substantially the same requirements for registration as an apprentice as is provided by this chapter shall, upon payment of the required fee, be issued a permit to work as an apprentice and the time spent in such other state or country as an apprentice shall be credited upon the period of apprenticeship required hereby as a qualification to take the examination to determine his fitness to receive a certificate of registration as a registered barber. Any person who has practiced in another state or country which does not have substantially the same requirements for registration as an apprentice as required hereby and who has qualifications required in section 9 shall be credited with the time spent as an apprentice in such other state or country upon the period of apprenticeship required by this chapter as a qualification to take the examination to determine fitness to receive a certificate of registration as a registered barber.

**321:4 Shop Registration.** Amend RSA 313 by inserting after section 15 the following new section: **313:15-a Requirements.** — All barbershops at all times shall be under the immediate supervision of a registered barber. In no barbershop shall there be more than one apprentice who must be at all times under the supervision of a barber authorized under this chapter to practice such occupation.

**321:5 Barbering Schools; Demonstrations.** Amend RSA 313 by inserting after section 21-d as inserted by 1959, 13:1 the following new sections: **313:21-e Limitations.** Every applicant for a certificate of registration to operate a new barber school or college shall offer proof sufficient to the board that the establishment of a new barber school or college in

a particular area will not be detrimental to the public welfare. In considering whether the establishment of a new barber school or college in a particular area will be detrimental to the public welfare the board shall consider the need for barber schools or college facilities or additional barber schools or college facilities, as the case may be, in the community where the proposed barber school or college is to be located giving particular consideration to: (a) The economic character of the community; (b) the adequacy of existing barber schools or colleges in that community; (c) the ability of the community to support the proposed barber school or college; and (d) the character of adjacent communities and the extent to which the establishment of the proposed barber school or college would draw patrons from such adjacent communities. 313:21-f

**Demonstrations.** No person shall conduct a program for barbering demonstration unless such program has been approved by the board and no person shall operate as a barbering demonstrator unless he shall receive the approval of the board. No trade show or seminar of barbering shall be held unless it is sponsored by a recognized barber organization, or a group of registered barbers in this state.

**321:6 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 322.

### AN ACT TO PROVIDE FOR THE ISSUANCE OF AIR CARRIER CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR INTRASTATE AIR TRANSPORTATION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**322:1 Certificates Required.** Amend RSA 422 by inserting after section 24 (supp), as amended by 1961, 89:1 the following two new sections:

**422:24-a Certificates of Public Convenience and Necessity.** No person shall engage in operations in scheduled service, using aircraft of less than twelve thousand five hundred pounds in gross weight, between points in this state unless he holds a certificate issued by the public utilities commission authorizing such operations. The application for such a certificate shall be filed with the public utilities commission. If it is found that the applicant is fit, willing, and able to perform the service proposed and to conform to the provisions of this chapter and to the rules and regulations issued thereunder, and if the proposed service to the extent to be authorized by the certificate is or will be required by the present or future public convenience and necessity, the public utilities commission shall issue such a certificate to any qualified applicant, authorizing the whole

or any part of the operations covered by the application. However, the public utilities commission shall issue such a certificate without requiring further proof that the public convenience and necessity will be served by an operation without further proceedings under the following conditions: (a) If the applicant or his predecessor in interest was engaged in bona fide operations over regular or irregular routes on April 1, 1967 over the route or routes or within the territory for which application is made and has so operated since that time, or (b) if the applicant or his predecessor in interest is engaged in furnishing seasonal service only, he was in bona fide operation on that date during the season ordinarily covered by its operations, and (c) if the application for such a certificate is made to the public utilities commission on or before April 1, 1967 and if the facts in the application are approved by the aeronautics commission.

**422:24-b Rates and Charges.** Air carriers holding certificates issued in accordance with section 24-a of this chapter shall file with the aeronautics commission and shall keep open to public inspection all schedules showing the rates, fares, charges, and prices for any service rendered or to be rendered, in such place, within such time, in such form, and with such details as the commission orders.

**322:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 323.

AN ACT RELATING TO STEALING, EMBEZZLING OR WITHOUT AUTHORITY  
COPYING OR CAUSING TO BE COPIED TRADE SECRETS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**323:1 Stealing Trade Secrets.** Amend RSA 580 by inserting after section 31, as inserted by 1961, 227:1, the following new subdivision:

### Trade Secrets

**580:32 Embezzling or Stealing Trade Secrets.**

I. As used in this subdivision, unless the context otherwise requires:

(a) "Article" shall mean any object, material, device or substance or copy thereof, including any writing, record, recording, drawing, sample, specimen, prototype model, photograph, microorganism, blueprint or map;

(b) "Representing" shall mean describing, depicting, containing, constituting, reflecting or recording;

(c) "Trade secret" shall mean the whole or any portion or phrase



of any scientific or technical information, design, process, procedure, formula or improvement which is secret and of value; and a trade secret shall be presumed to be secret when the owner thereof takes measures to prevent it from becoming available to persons other than those selected by the owner to have access thereto for limited purposes; and

(d) "Copy" shall mean any facsimile, replica, photograph or other reproduction of an article, and any note, drawing or sketch made of or from an article.

II. Any person who, with intent to deprive or withhold from the owner thereof the control of a trade secret, or with an intent to appropriate a trade secret to his own use or to the use of another

(a) steals or embezzles an article representing a trade secret or

(b) without authority makes or causes to be made a copy of an article representing a trade secret, shall be fined not less than one thousand dollars nor more than five thousand dollars or imprisoned for not more than seven years, or both.

III. In a prosecution for a violation of the provisions of this section it shall be no defense that the person so charged returned or intended to return the article so stolen, embezzled or copied.

**323:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 324.

### AN ACT RELATIVE TO PAYMENT OF EXPENSES IN CERTAIN CASES INVOLVING THE SO-CALLED IMPLIED CONSENT LAW.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**324:1 Expenses in Implied Consent Cases.** Amend RSA 502:14 (supp) as amended by 1957, 166:3 and 1963, 325:1 by striking out the same and inserting in place thereof the following: **502:14 Duties of Clerk; Disposition of Fines.** The clerk shall receive all fines and forfeitures paid into the municipal court from any source. After deducting witness fees, costs of clerk's bonds, court seal, record books, printing blanks, and such other expenses as may be legally incurred in the maintenance and conduct of said court the clerk shall, except in cases otherwise provided, pay the same over to the treasurer of the city or town wherein the said court is located, for the use of said city or town. Provided that whenever fines are assessed on account of violations of Title XXXIV, RSA, relative to public utilities, Title XXXIX, RSA, relative to aeronautics, Title X, RSA, relative to public health, chapter 270, RSA, relative to navigation,

chapter 282, RSA, relative to unemployment compensation, chapters 183, 184, 185, 341 to 344, RSA, inclusive, and chapters 284, 345, 425 to 429, 433, 434, 436 to 439, 440 to 443, RSA, relative to agriculture, or any other statutes wherein it is provided that the fines and forfeitures shall be paid to the state or to a department or agency of the state, the clerk of the municipal court shall deduct from each of said fines and forfeitures so collected by the court the sum of ten dollars and twenty per cent of that part of the fine which exceeds ten dollars, and after deducting witness fees and the expenses incurred by law enforcement departments in obtaining blood samples under the provisions of the implied consent law, RSA 262-A:69-a, in all such cases brought in said municipal court, shall pay over the balance to the state or department or agency to whom due, within seven days after the receipt thereof. The clerk of the municipal court shall pay over each month to the respective law enforcement departments their expenses in obtaining blood samples under the provisions of the implied consent law for all such cases presented in the municipal court, which expenses the clerk has deducted from the fines and forfeitures as hereinabove provided. The remaining part of said fines and forfeitures deducted by said clerk as hereinbefore provided shall be retained and used for payment of expenses of the court as hereinabove provided.

**324:2 Expenses in Implied Consent Cases in District Courts.** Amend RSA 502-A:8 (supp) as inserted by 1963, 331:1 by striking out the same and inserting in place thereof the following: **502-A:8 Duties of Clerks; Disposition of Fines.** The clerk shall receive all fines and forfeitures paid into the district court from any source. After deducting witness fees, costs of clerk's bond, court seal, record books, printing blanks, and such other expenses as may be legally incurred in the maintenance and conduct of said court the clerk shall, except in cases otherwise provided, pay the same over to the treasurer of the city or town wherein said court is located for the use of said city or town. It is further provided that whenever fines are assessed on account of violations of Title XXXIV, RSA, relative to public utilities, Title XXXIX, RSA, relative to aeronautics, Title X, RSA, relative to public health, chapter 270, RSA, relative to navigation, chapter 282, RSA, relative to unemployment compensation, chapters 183, 184, 185, 341 to 344, RSA, inclusive, and chapters 284, 345, 425 to 429, 433, 434, 436 to 439, 440 to 443, RSA, relative to agriculture, or any other statutes wherein it is provided that the fines and forfeitures shall be paid to the state or to a department or agency of the state, the clerk of the district court shall deduct from each of said fines and forfeitures so collected by the court the sum of ten dollars and twenty per cent of that part of the fine which exceeds ten dollars, and after deducting witness fees, if any, and the expenses incurred by the law enforcement departments in obtaining blood samples under the provisions of the implied consent law, RSA 262-A:69-a, in all such cases brought in said

district court, shall pay over the balance to the state or department or agency to whom due, within seven days after receipt thereof. The clerk of the district court shall pay over each month to the respective law enforcement departments their expenses in obtaining blood samples under the provisions of the implied consent law for all such cases presented in the district court, which expenses the clerk has deducted from the fines and forfeitures as hereinabove provided. The remaining part of said fines and forfeitures deducted by said clerk as hereinbefore provided shall be retained and used for payment of expenses of the court as hereinabove provided.

**324:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 325.

AN ACT TO ALLOW TOWNS OF FIVE THOUSAND OR OVER POPULATION TO  
INCREASE THEIR BOARDS OF SELECTMEN.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**325:1 Authority to Enlarge Board of Selectmen.** Amend RSA 41 by inserting after section 8 the following new sections:

**41:8-a Grant of Power.** Any town with a population of five thousand or over, at any annual meeting under an article in the warrant for the meeting, is authorized to elect a board of selectmen of five members as the town determines by a majority vote of the legal voters present and voting at the meeting.

**41:8-b Petition and Ballot.** Upon written petition of not less than two per cent of the legal voters of any town, addressed and delivered to the selectmen not later than thirty-five days before any annual meeting, the following question, as requested in the application, shall be submitted to the voters at the meeting: "Are you in favor of increasing the board of selectmen to five members?" In towns having an official ballot the question shall appear upon the ballot, pursuant to RSA 59:12-a. In towns where no official ballot is used, the vote on this question shall be by special ballot. After the question, squares with the words "yes" and "no" shall be printed on the ballot in which the voter may mark his choice, pursuant to RSA 59:12-a.

**41:8-c Public Hearing.** When the petition is made, the petitioners shall hold a public hearing prior to the annual meeting to discuss the proposed change for town management.

**41:8-d Revocation.** A town which has voted to enlarge its board of

selectmen as provided in section 8-a of this chapter may rescind its action in the same manner, and the provisions of section 8-b of this chapter so far as applicable apply. The question "Are you in favor of decreasing the board of selectmen to three members?" shall be printed on the ballot, pursuant to RSA 59-12-a.

**41:8-e Effective Date and Manner of Increase or Decrease.** If a town votes to enlarge or to decrease its board of selectmen the change does not take effect in either case until the first annual meeting following the meeting at which the questions were acted upon. If the town votes to enlarge the board to five members, at the first annual meeting following the meeting when the action was taken the town shall elect two members for a three-year term and one member for a one-year term. At the next succeeding annual meeting two members shall be elected for a three-year term, at the next following annual meeting one member shall be elected for a three-year term, and at succeeding annual meetings members shall be elected to fill the vacancies regularly occurring. If a town votes to decrease its board to three members, at the annual meeting following the meeting at which it so voted, the terms of office of all members of the board of selectmen shall end and the town shall elect three members of the board of selectmen, one for one year, one for two years, one for three years and at all succeeding annual meetings shall elect a member to the board for a three-year term.

**325:2 Effective Date.** This act takes effect sixty days after its passage.  
[Approved July 3, 1967.]  
[Effective date September 1, 1967.]

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## CHAPTER 326.

AN ACT TO MAKE UNLAWFUL THE INHALATION OF TOXIC VAPORS FOR EFFECT  
AND TO AUTHORIZE FOLLOW-UP CARE FOR MINORS GUILTY  
OF THE SECOND OFFENSE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**326:1 Offenses Against Public Order.** Amend RSA 570 by inserting after section 17 (supp) as amended by 1957, 244:10 a new section as follows: **570:17-a Inhaling Toxic Vapors for Effect.** 1. It is unlawful for any person to intentionally smell or inhale the fumes of any substance having the property of releasing toxic vapors, for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, or to possess, buy, or sell any such substance for the purpose of violating or aiding another to violate this section. This section does not apply to the inhalation of

anesthesia for medical or dental purposes. II. Any court finding that a minor is guilty of a second offense under this section may order the minor to the nearest mental hygiene clinic for examination prior to sentencing. The clinic shall report any finding it makes to the court. The court may order commitment to a public institution, including the New Hampshire hospital for care and treatment as the findings warrant. The court may thereafter modify the order as justice requires.

**326:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 327.

### AN ACT RELATIVE TO APPORTIONMENT OF PUBLIC TAXES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**327:1 Public Taxes.** Amend RSA 76:1 by striking out said section and inserting in place thereof the following: **76:1 Apportionment.** An apportionment of public taxes according to the equalized valuation of the towns, cities and unincorporated places shall be made biennially by the tax commission. Within ten days after such apportionment shall be made the commission shall report such apportionment to the secretary of state and such apportionment shall be effective as of the date of said filing.

**327:2 Tax Commission.** Amend paragraph V of RSA 71:11 (supp) as amended by 1957, 102:1 by striking out said paragraph and inserting in place thereof the following: V. Equalization. In every even-numbered year to equalize the valuation of the property in the several towns, cities and unincorporated places in the state by adding to or deducting from the aggregate valuation of the property as assessed in towns, cities and unincorporated places such sums as will bring such valuations to the true and market value of said property, and by making such adjustments in the value of other property from which the towns, cities and unincorporated places receive taxes as may be equitable and just, so that any public taxes that may be apportioned among them shall be equal and just as between them.

**327:3 Effective Date.** This act shall take effect upon passage.

[Approved July 3, 1967.]

[Effective date July 3, 1967.]

**CHAPTER 328.**

AN ACT RELATIVE TO THE USE OF A PORTION OF ODIORNE'S POINT STATE PARK BY THE UNIVERSITY OF NEW HAMPSHIRE FOR EDUCATIONAL AND RESEARCH PURPOSES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**328:1 Use of Property by the University of New Hampshire.** Amend section 2 of chapter 305, Laws of 1959 by striking out said section and inserting in place thereof the following: **305:2 Use of Property.** Upon acquisition of the property mentioned in section 1 by the state the same shall be maintained for recreational and other public uses. In addition, the university of New Hampshire is hereby authorized to engage in planning with the division of parks for the cooperative use of property now known as Odiorne's Point State Park, formerly Fort Dearborn in Rye, for its development for the purposes of education and research related to marine science and technology as well as developing the park to its full potential for recreational, natural, scenic and historic values. The university of New Hampshire may be authorized by the governor and council upon the joint recommendation of the director of the division of parks and the trustees of the university of New Hampshire to use a portion of the property for educational and research purposes. Only such property may be used for education and research purposes as is recommended by the comprehensive plan prepared under the supervision of the division of parks and the university of New Hampshire. Property used shall be subject to such conditions as are recommended by the division of parks and the trustees of the university of New Hampshire and approved by the governor and council. The university is authorized to construct on property approved for such purposes such buildings and facilities as are necessary to carry out educational and research programs related to marine science and technology. Manufacturing or processing operations are expressly excluded. In authorizing this procedure for use of the property by the university for the purposes indicated, it is the intent of the general court that the entire park be open for public use except for certain areas of experimentation and that any buildings and facilities constructed by the university, insofar as possible, shall be in keeping with the surrounding area and shall protect and preserve the historic, scenic, recreational, marine and natural resources of this very important seacoast land mass. The university may be allowed to make arrangements for use of a part of its buildings and facilities by individuals and public or private institutions who are engaged in marine-oriented research, and in keeping with the research activities of the university and the purposes for which the use of the property is authorized.

**328:2 Effective Date.** This act shall take effect upon its passage.

[Approved July 3, 1967.]

[Effective date July 3, 1967.]

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## CHAPTER 329.

### AN ACT ESTABLISHING A REAL ESTATE BOARD.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**329:1 Board Established.** Amend RSA 331-A as inserted [by] 1959, 222:1 and amended by 1961, 213; 1963, 269 and 1965, 319, by inserting after section 1 the following new sections:

**331-A:1-a Board, Appointments, Terms, Compensation.** The New Hampshire Real Estate Board, hereinafter called the board, is hereby created, whose duty it shall be to administer the provisions of this chapter. The board shall consist of five directors who shall be appointed and may be for cause removed by the governor, with the advice and consent of the council. Each director of the board shall serve for a term of five years and until his successor is duly appointed, provided that the first appointments shall be for one, two, three, four and five years. Any vacancy shall be filled by appointment for the unexpired term. The board shall select one from its number to be chairman. Each director of the board shall serve without compensation, but shall be paid the expenses necessarily incurred by him in the discharge of his official duties.

**331-A:1-b Qualifications.** Each director of the board shall be a citizen of the United States and a resident of this state for at least six years prior to his appointment. Only two of such appointees shall be real estate brokers whose vocation shall have been that of a real estate broker.

**331-A:1-c Power and Duties.** The board shall have the power to adopt and amend all rules of procedure not inconsistent with the constitution or laws of this state, which reasonably may be necessary for the proper performance of its duties and the regulation of the proceedings before it. The board shall adopt and have an official seal. It shall further have the power and authority to create the position of, and appoint an executive director, with a salary established under RSA 94:1 to assist the board in administering the provisions of this chapter. The board shall make an annual report to the governor and to the presiding officer of each house of the general court on or before the first day of September in each year, including therein an account of its actions, receipts and expenses derived under the provisions hereof, the practical effects of the application of this chapter, and any recommendation for legislation which the board deems advisable.

**329:2 Definitions.** Amend RSA 331-A:1 by inserting at the end thereof the following new paragraph: (e) the words "commissioner of insurance" or "commissioner" shall mean the New Hampshire Real Estate Board.

**329:3 Examination Fee.** Amend RSA 331-A:4-a as inserted by 1963, 269:2 by inserting at the end thereof the words: (A fee of ten dollars shall be paid for each examination) so that said section as amended shall read as follows: **331-A:4-a Examination.** On and after January 1, 1964, the commissioner of insurance shall not issue an original salesman's or broker's license to any resident applicant therefor unless and until such applicant shall have satisfactorily passed a reasonable written examination as to his qualifications to act as such broker or salesman. The examination shall be in such form as may be prescribed by the commissioner of insurance and shall be administered by the commissioner who shall cause the examination to be given to resident applicants at least four times annually. The commissioner is authorized to publish and distribute printed material indicating the scope of the examination and suggested sources of study. A similar examination shall be required of non-residents unless they have qualified in the state of their residence by passing such an examination. A fee of ten dollars shall be paid for each examination.

**329:4 Death of Licensee.** Amend RSA 331-A by inserting after section 5-a, as inserted by 1963, 269:1 the following new sections:

**331-A:5-b Temporary Licenses.** In the event of the death of a licensed real estate broker who is the sole proprietor of a real estate business, the board may, upon application by his legal representative, issue without examination a temporary license to such legal representative or to an individual designated by him and approved by the board and by the payment of the prescribed fee, which shall authorize such temporary licensee to continue to transact said real estate business for a period not to exceed one year from the date of death.

**331-A:5-c Non-residents. Reciprocity of Fees.** The license fee for a non-resident real estate broker shall be as set forth in section 5 except that when the state of residence of such non-resident broker permits the licensing of a New Hampshire real estate broker in such other state at a fee no greater than for its own resident real estate brokers, then shall such non-resident broker, if he otherwise complies with the requirements of this chapter, pay the same license fee as a resident real estate broker.

**329:5 Transfer.** The commissioner of insurance shall transfer such functions, powers, duties, records, and property to the real estate board which shall in his judgment assure the most efficient implementations of the intents and purposes of this act. The clerk in the insurance



department performing duties for the real estate division shall be transferred to the real estate board.

**329:6 Repeal.** RSA 400:25 and 26 (supp) as inserted by 1965, 319:11, relative to the real estate division in the office of the insurance commissioner, is hereby repealed.

**329:7 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date July 1, 1967.]

[Effective date changed by 1967, 445:6 to October 1, 1967.]

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## CHAPTER 330.

### AN ACT RELATING TO THE PRACTICE OF ENGINEERING.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**330:1 Engineering.** Amend RSA 319:1 by striking out the same and inserting in place thereof the following: **319:1 General Provisions.** In order to safeguard life, health and property and to promote the public welfare, any person in either public or private capacity practicing or offering to practice professional engineering shall hereafter be required to submit evidence that he is qualified so to practice and shall be registered as hereinafter provided; and it shall be unlawful for any person to practice or to offer to practice in this state professional engineering as defined in the provisions of this act or to use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is a professional engineer unless such person has been duly registered under the provisions of this act; provided however, that this section shall not be deemed to prohibit the practice of engineering through corporations and partnerships meeting the requirements set forth hereinafter.

**330:2 Definitions.** Amend paragraph III of RSA 319:2 by striking out said paragraph and inserting in place thereof the following:

III. The term "practice of professional engineering" shall mean any professional service or creative work requiring the education, training, and experience provided in section 13 hereof, and the application of advanced knowledge of mathematics and physical sciences, involving the constant exercise of discretion and judgment, to such services or work as consultation, investigation, evaluation, planning, design, responsible supervision of construction, and responsible supervision of operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, wherein the public welfare, or the safeguarding of life, health or property is concerned or involved. A person shall be construed to practice or offer to practice

engineering, within the meaning and intent of this act, who practices any branch of the profession of engineering; or who, by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be an engineer, or through the use of some other title implies that he is an engineer or that he is registered under this act; or who holds himself out as able to perform, or who does perform any engineering service or work or any other service designated by the practitioner which is recognized as engineering.

**330:3 Roster to be Published.** Amend RSA 319:12 as amended by 1959, 38:2 and 1965, 168:2 by striking out the same and inserting in place thereof the following:

**319:12 Roster.** A biennial roster, as of June thirtieth in the year of the biennial report provided for in section 10, listing the names, registration number, qualifying branch of engineering specialization (not exceeding three branches) and addresses of all registered professional engineers, and the names and addresses of all corporations and partnerships holding certificates of authority and the assumed names, trade names and service marks used by any such persons or entities in connection with furnishing professional engineering services, shall be published by the secretary of the board during the next following month of September, commencing in September, 1967. As of June thirtieth of the year following each biennial report, a supplement to the roster shall likewise be published. Copies of this roster and its supplement shall be mailed to each person so registered, placed on file with the secretary of state and furnished to the public upon request and payment of a reasonable charge in an amount determined by the board.

**330:4 Corporations.** Amend RSA 319:22 as amended by 1959, 38:6 and 1965, 168:3 by striking out the same and inserting in place thereof the following:

**319:22 Expiration and Renewals.** I. Certificates of registration, and certificates of authorization for corporations and partnerships, including those in effect on the effective date of this act, shall expire each year on December thirty-first and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered under this act, and every corporation and partnership holding a certificate of authorization under this act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year and the charges for delayed renewal; such notice shall be mailed to the registrant at the last known address at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payment of the normal renewal fee as determined by the board. The failure on the part of any registrant to renew a certificate annually in the month of December as required above shall not

deprive such person or entity of the right of renewal but the fee to be paid for the renewal of a certificate after the month of December and before the first day of May of the following year shall be one and one half times the normal renewal fee, and, on and after said first day of May the fee to be paid shall be twice the normal renewal fee. The right of renewal shall be limited to a period of two years from the date of expiration of a certificate. After this period the certificate of a former registrant shall become null and void, but may be reinstated by the board after re-application, payment of a fee of fifteen dollars and after approval of the board. The board, at its discretion, may reexamine said former registrant.

II. Assumed Names. All holders of certificates issued pursuant to this act shall advise the board of all assumed names, trade names and service marks used in connection with furnishing engineering services in this state and shall at all times keep on file with the board a list of all names and marks used in connection with such business and changes or revisions therein.

**330:5 Suspension.** Amend RSA 319:26 by striking out the same and inserting in place thereof the following:

**319:26 Revocation of Certificate.** The board shall have the power to revoke, suspend or annul the certificate of registration or certificate of authorization of any registrant who is found guilty of: (a) the practice of any fraud or deceit in obtaining a certificate of registration; (b) any gross negligence, incompetency, or misconduct in the practice of professional engineering as a registered professional engineer. Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or misconduct against any registrant. Such charges shall be in writing, shall be sworn to by the person making them and shall be filed with the secretary of the board. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they shall have been preferred. The time and place for said hearing shall be fixed by the board, and a copy of the charges, together with a notice of the time and place of hearing, shall be served personally on or mailed to the last known address of such registrant, at least thirty days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him, and to produce evidence and witnesses in his own defense. If, after such hearing, three or more members of the board vote in favor of finding the accused guilty, the board shall revoke, suspend or annul the respective certificate of registration or authorization of such registered professional engineer.

**330:6 Revocation.** Amend 319:27 by striking out said section and inserting in place thereof the following:

**319:27 Reissuance of Certificates.** The board, for reasons it may deem sufficient, may reissue a certificate of registration or authorization to any person whose certificate has been revoked, suspended or annulled, providing three or more members of the board vote in favor of such reissuance. A new certificate of registration or authorization, to replace any certificate revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the board, and charge of three dollars shall be made for such issuance.

**330:7 False Impersonation.** Amend RSA 319:29 as amended by 1955, 124:6 and 1959, 38:9 by striking out the same and inserting in place thereof the following:

**319:29 Violations and Penalties.** Any person who shall practice or offer to practice engineering in this state for others without being registered in accordance with the provisions of this chapter, or any person, firm, partnership, organization, association, corporation, or other entity using or employing the words "engineer" or "engineering" or any modification or derivative thereof in its name or form of business or activity except as authorized in this act, or any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining or attempting to obtain a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or non-existent or revoked certificate of registration or authorization, or any person who shall violate any of the provisions of this chapter, shall be guilty of a misdemeanor, and shall, upon conviction, be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars. It shall be the duty of all duly constituted officers of the state and all political subdivisions thereof to enforce the provisions of this act and to prosecute any persons violating the same.

**330:8 Repeal.** Paragraph VI of RSA 319:30 as amended by 1959, 38:12 and paragraph VIII of 319:30 are hereby repealed.

**330:9 Amendment.** Amend RSA 319 by adding after 319:31 the following new section:

**319:32 Corporation Certificates.** 1. The practice of or offer to practice professional engineering for others as defined in section 2 by individual engineers registered under this act through a corporation as officers, employees, or agents or through a partnership as partners, employees or agents, is permitted, subject to the provisions of this chapter; provided that one or more of the corporate officers or employees of said corporation or one or more of the general partners or employees of said

partnership is designated as being responsible for the engineering activities and engineering decisions of said corporation or said partnership, respectively, and is a registered engineer under this act, and provided further, that all personnel of said corporation or said partnership who act in its behalf as professional engineers are registered under this act, and further provided that said corporation or said partnership has been issued a certificate of authorization by the board, as hereinafter provided. The requirements of this chapter shall not affect either a partnership or a corporation and their respective employees in performing services for said partnership or proprietorship or said corporation, or its subsidiary or affiliated corporations. All final drawings, specifications, plans, reports, or other engineering papers or documents involving the practice of engineering as defined in this act when issued, or filed for public record, shall be dated, and bear the signature and seal of the professional engineer who prepared or approved them.

II. A corporation desiring a certificate of authorization shall file with the board an application, using a form provided by the board, listing the names and addresses of all officers and board members of the corporation, and also of an individual or individuals duly registered to practice engineering in this state who shall be in responsible charge of the practice of engineering in this state through said corporation, and other information required by the board. The same form, giving the same information, must accompany the annual renewal fee. In the event there shall be a change in any of these persons during the year, such change shall be designated on the same form and filed with the board within thirty days after the effective date of said change. If all of the requirements of this section are met, the board shall issue a certificate of authorization to such corporation, and such corporation shall be authorized to contract for and to collect fees for furnishing engineering services.

III. A partnership desiring a certificate of authorization shall file with the board an application, using a form provided by the board, listing the names and addresses of all partners, both general and limited, and also of an individual or individuals duly registered to practice professional engineering in this state who shall be in responsible charge of the practice of engineering in this state through said partnership, and other information required by the board. The same form, giving the same information, must accompany the annual renewal fee. In the event there shall be a change in any of these persons during the year, such change shall be designated on the same form and filed with the board within thirty days after the effective date of said change. If all of the requirements of this section are met, the board shall issue a certificate of authorization to such partnership and such partnership shall be authorized to contract for and to collect fees for furnishing professional engineering services.

IV. No such corporation or partnership shall be relieved of responsibility for the conduct or acts of its agents, employees, officers or partners by reason of its compliance with the provisions of this section, nor shall any individual practicing professional engineering as defined in section 2 be relieved of responsibility for professional engineering services performed by reason of his employment by or relationship with such corporation or partnership.

V. The secretary of state shall not issue a certificate of incorporation to an applicant for incorporation or for registration as a foreign corporation or a foreign partnership which includes the words "Engineer" or "Engineering" or any modification or derivative thereof in its corporate or business name or which includes the practice of engineering among the objects for which it is established unless the board of registration for professional engineers shall have issued with respect to such applicant, a certificate of authorization or eligibility for authorization, a copy of which shall have been presented to the secretary of state. Similarly, the secretary of state after a reasonable transition period shall decline to register any tradename or service mark which includes such words or modifications or derivatives thereof in its firm or business name except to partnerships, sole proprietorships and associations holding certificates or registration or authorization issued under the provisions of this chapter, a copy of which shall likewise have been presented to the secretary of state.

**330:10 Effective Date.** This act shall take effect January 1, 1968.

[Approved July 3, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 331.

### AN ACT AUTHORIZING THE FORMATION OF REGIONAL REFUSE DISPOSAL DISTRICTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**331:1 New Chapter.** Amend RSA by inserting after chapter 53-A as inserted by 1963, 275:14 the following new chapter:

#### Chapter 53-B

##### Regional Refuse Disposal Districts

**53-B:1 Refuse Disposal Planning Committee.** Two or more cities or towns, by vote of the council in a city and by vote of a town meeting in a town, may create a special unpaid committee to be known as a regional refuse disposal planning committee, consisting of three persons appointed by the moderator in a town and by the mayor in a city.

**53-B:2 Definitions.** The term "refuse disposal facility" as used in this chapter means an incinerator, sanitary land fill, transfer station, composting plant, other sanitary means of refuse disposal approved by the division of public health services, or any combination of two or more such facilities.

**53-B:3 Refuse Disposal Planning Board.** Regional refuse disposal planning committees from two or more cities or towns may join together to form a regional refuse disposal planning board. The board shall study the advisability of establishing a regional refuse disposal district; ways for the organization, operation, and control of such a district; and the methods of selecting, constructing, maintaining, and operating a refuse disposal facility to serve the needs of the district. It shall estimate construction and operating costs and it shall study methods of financing such a district. Each city or town represented on the board may appropriate a sum not in excess of three thousand dollars for the expenses of the board.

**53-B:4 Refuse Disposal District Agreements.** The regional refuse disposal planning board shall draw up a proposed agreement. The agreement shall contain provisions setting forth the sharing of construction and operating costs; the number, method of selection, and terms of office of the members of the regional refuse disposal district committee; the general area in which the refuse disposal facility shall be constructed; the terms by which another city or town may be admitted to the district; the method by which the agreement may be amended; the procedure for the preparation and adoption of the annual budget; and any other matters, not incompatible with law, which the committees judge advisable. All plans for refuse disposal facilities shall be subject to the approval of the division of public health services.

**53-B:5 Findings and Recommendations.** The regional refuse disposal planning board shall report its findings and recommendations to the board of selectmen and the mayor, as the case may be, of each city or town comprising the board. If the board recommends that a regional refuse disposal district be established, a copy of the proposed agreement shall accompany the report to each such city or town.

**53-B:6 Vote on Establishing District.** The selectmen of each of the several towns, upon receipt of a recommendation that a regional refuse disposal district be established, shall cause the question of accepting such plan to be presented for determination by vote with printed ballots at the next annual town meeting or at a special town meeting called for that purpose. The mayors of the several cities, upon the receipt of a recommendation that a regional refuse disposal district be established, shall submit the question of accepting such a plan to the city council within sixty days after receiving the recommendation. In the case of either a town or city; the question to be voted on shall be; "Shall the

city (town) accept the provisions of sections 1 to 10 inclusive of chapter 53-B of the Revised Statutes Annotated providing for the establishment of a regional refuse disposal district, together with the towns of . . . . . and the cities of . . . . ., and the construction, maintenance, and operation of a regional refuse disposal facility by said district in accordance with the provisions of a proposed agreement filed with the selectmen or the mayor?" If a majority of the members of each city council voting on the question and a majority of the voters in each town voting on the question shall vote in the affirmative, the proposed regional refuse disposal district shall be established forthwith in accordance with the terms of the proposed agreement.

**53-B:7 Corporate Body; Powers and Duties.** A regional refuse disposal district, established under section 6 of the chapter, shall be a body politic and corporate with the following powers and duties:

I. To adopt a name and a corporate seal. The engraved or printed facsimile of the seal appearing on a bond or note of the district shall have the same legal effect as if it were impressed thereon.

II. To sue and be sued, but only to the same extent and upon the same conditions that a city or town may be sued.

III. To purchase, or take by eminent domain land within the cities and towns which have accepted the provisions of sections 1 to 10 inclusive of this chapter, for the purpose of the district, and to plan, construct, and equip a refuse disposal facility for the benefit of those cities and towns, and to make any necessary contracts in relation thereto.

IV. To incur debt for the purpose of acquiring land and for planning, constructing, and equipping a refuse disposal facility for a term not exceeding thirty years. Written notice of the amount of the debt and of the general purposes for which it was authorized shall be given to the city council of each city and to the board of selectmen of each town comprising the district not later than seven days after the date on which the debt was authorized by the district committee. No debt may be incurred until the expiration of thirty days from the date the debt was authorized by the district committee. If, prior to the expiration of the thirty-day period, the city council of any member city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting called for the purpose of expressing such disapproval, the debt shall not be incurred. If there is a disapproval of the proposal, the regional refuse disposal planning committee shall prepare another proposal, which may be the same as any prior proposal, and an authorization to incur debt therefor.

V. To issue bonds and notes in the name and upon the full faith and credit of the district. The bonds or notes shall be signed by the chair-



man and the treasurer of the district committee, except that the chairman by a writing bearing his written signature and filed in the office of the treasurer, which writing shall be open to public inspection, may authorize the treasurer to cause to be engraved or printed on the bonds or notes a facsimile of the chairman's signature, and such facsimile signature so engraved or printed shall have the same validity and effect as the chairman's written signature. Each issue of bonds or notes shall be a separate loan.

VI. To receive and disburse funds for any district purpose.

VII. To incur temporary debt in anticipation of revenue to be received from member cities and towns.

VIII. To assess member cities and towns for any expenses of the district.

IX. To receive any grants or gifts for the purposes of the regional district.

X. To engage legal counsel.

XI. To submit an annual report to each of the member cities and towns, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each city and town were computed.

XII. To employ an executive director and such other employees necessary to operate the district.

XIII. To adopt an annual operating budget, not later than December thirty-first of the previous year.

XIV. To enter into contracts for refuse disposal with persons, non-member cities and towns as well as other bodies politic, and the United States of America.

**53-B:8 Regional District Committee.** The powers, duties, and liabilities of a regional refuse disposal district shall be vested in and exercised by a regional refuse disposal district committee organized in accordance with the agreement. The committee shall choose a chairman by ballot from its membership. It shall appoint a secretary and a treasurer, who may be the same person, but who need not be members of the committee. The treasurer shall receive and take charge of all money belonging to the district and shall pay any bill of the district which has been approved by the committee. The treasurer may, by vote of the committee, be compensated for his services.

**53-B:9 Apportionment of Expenses.** Annually, the regional refuse disposal district committee shall determine the amounts necessary to be raised to maintain and operate the district during the next calendar year,

and the amounts required for payment of debt and interest incurred by the district that will be due in the next year. The committee shall prepare a budget and make a preliminary apportionment of the amount so determined among the several member cities and towns in accordance with the terms of the agreement. Prior to December 31 of each year the district committee shall hold at least one public hearing at some convenient place in the district on the amounts required in the budget and the preliminary apportionment of the amounts listed in the budget. At least seven days notice of the meeting shall be given by publication of the budget and apportionment in a newspaper of general circulation within the district, and by posting a copy of the budget and apportionment in a public place in each city and town in the district. After the hearing the committee shall adopt a budget and make a final determination of the apportionment among the member cities and towns. After the committee has adopted the budget and determined the apportionment of the expenses, the regional refuse disposal district treasurer shall certify to the selectmen of the towns and the councils of the cities in the district the amount of money assessed each member town and city. The selectmen of each member town and the council of each member city shall seasonably assess the taxes to be raised to pay the apportionments. The city or town treasurer shall pay to the district the amount so apportioned at the times specified in the agreement.

**53-B:10 Audit of Accounts.** Each year the director of the municipal accounting division of the state tax commission shall cause an audit to be made of the accounts of the regional refuse disposal district committee, and for this purpose he, and his authorized agents, shall have access to all necessary papers, books, and records. Upon the completion of each audit, a report thereon shall be made to the chairman of the district committee, and a copy thereof shall be sent to the mayor and to the chairman of the board of selectmen, respectively, of each city and town which is a member of the district. The director of the municipal accounting division shall apportion the cost of the audit among the several cities and towns which are members of the district, in proportion to each's contribution to the cost of the district, the committee shall reimburse the municipal accounting division for the total cost of the audit. The money so paid shall be credited to the appropriation of the division, and the committee shall charge each town and city its share of the costs.

**53-B:11** The agreement made under section 3 of this chapter or any amendment to such an agreement, may contain provisions authorizing any member city or town to sell, lease, or license to the regional refuse disposal district any refuse disposal facility and any land appurtenant thereto or used in connection therewith or any other property useful for the purposes of the district. Any such city or town may authorize such sale, lease, or license accordingly. In case of a sale, the price and time or

times of payment and the method by which the cities and towns other than the selling city or town shall be assessed for such payment shall be set forth in the agreement or amendment; but in no case shall payments be made which shall extend over a period in excess of thirty years. In the case of a lease or license, the rental or license fee and terms of payment and assessment shall be set forth in the agreement or amendment. The lease or license may be for a term not in excess of thirty years, and may contain provisions for the extension of the lease or license for an additional term not in excess of thirty years at the option of the regional refuse disposal district committee.

**331:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 332.

AN ACT REQUIRING PROOF OF OWNERSHIP IN ORDER TO OBTAIN A  
MUNICIPAL PERMIT FOR REGISTRATION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**332:1 Proof of Ownership.** Amend RSA 260:22 by striking out said section and inserting in place thereof the following: **260:22 Required.** No motor vehicle owned or controlled by a resident of this state shall be registered under the provisions of this chapter until the owner or person controlling the same has obtained a permit for registration from the city or town wherein he resides. No such permit may be issued unless the applicant proves prior ownership of the vehicle by presenting to the city or town clerk a current or previous year's registration certificate, a certificate of title, a certificate of temporary registration issued by a registered motor vehicle dealer or a certified bill of sale from the previous owner of the motor vehicle if such owner is a private individual who has previously registered said vehicle. This section shall not apply to motor vehicles which constitute stock in trade of a manufacturer or of a bona fide dealer.

**332:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 333.

AN ACT TO IMPLEMENT THE NATIONAL HIGHWAY SAFETY PROGRAM.

WHEREAS, the "Highway Safety Act of 1966" requires each state to

have a highway safety program approved by the United States secretary of commerce designed to reduce traffic accidents and death, injuries, and property damage resulting therefrom; and

WHEREAS, said act provides that after December 31, 1968 the secretary of commerce shall not apportion any highway safety funds to any state which is not implementing an approved highway safety program; and

WHEREAS, said act further provides that federal aid highway funds apportioned on or after January 1, 1969, to any state which is not implementing a highway safety program approved by the secretary of commerce shall be reduced by amounts equal to ten per centum of the amounts which would otherwise be apportioned to such state; now therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**333:1 New Chapter.** Amend RSA by inserting after chapter 239-A as inserted by 1959, 284:1 the following new chapter:

### **Chapter 239-B**

#### **Highway Safety Program**

**239-B:1 Policy.** It is hereby declared to be the policy of this state and in the public interest to have a highway safety program designed to reduce traffic accidents and deaths, injuries and property damage resulting therefrom. Such program shall include, but not be limited to, improvement of driver performance, improvement of pedestrian performance, an accident record system, accident investigations, vehicle registration, operation, and inspection, highway design and maintenance, traffic control, vehicle codes and laws, surveillance of traffic and emergency services.

**239-B:2 Provisions Accepted.** The provisions of the federal Highway Safety Act of 1966, approved September 9, 1966, entitled "An Act to provide for a coordinated national highway safety program through financial assistance to the states to accelerate highway traffic safety programs, and for other purposes," and all acts amendatory thereof and supplementary thereto, are assented to, and the governor shall be the official of this state having the ultimate responsibility for dealing with the federal government with respect to programs and activities pursuant to carrying out the provisions of said acts.

**239-B:3 Faith and Credit Pledged.** The faith and credit of the state are pledged to make adequate provision, from time to time, by appropriation or otherwise, to meet all the obligations of the state incident to the acceptance of federal aid under the provisions of said act.

**239-B:4 Expenditures.** To meet such obligations the governor with the consent of the council is authorized to use any money appropriated

for the highway safety program. When federal funds are received the same shall be used to reimburse the appropriate funds for expenditures made.

**239-B:5 Governor's Authority.** The governor in addition to other duties and responsibilities conferred upon him by the constitution and laws of this state is hereby empowered to contract and to do all other things necessary in behalf of this state to secure the full benefits available to this state under the federal Highway Safety Act of 1966, and in so doing, to cooperate with federal and state agencies, agencies private and public, interested organizations, and with individuals, to effectuate the purposes of that enactment, and any and all subsequent amendments thereto. He shall coordinate the activities of any and all departments and agencies of this state and its subdivisions, relating thereto.

**239-B:6 Local Highway Safety Programs.** The towns and cities are hereby authorized to establish highway safety programs. Towns and cities implementing highway safety programs approved by the governor in accordance with the Highway Safety Act of 1966 are eligible for reimbursement of federal funds apportioned to this state for such programs.

**239-B:7 State Agency, Coordinator.** There is hereby created the state highway safety agency which shall be the agency responsible under the executive direction of the governor to develop and implement the state's highway safety program. The governor, with the consent of the council, shall appoint a state coordinator of highway safety, who shall be qualified by education and experience, who shall be an unclassified employee and who shall hold office for a term of five years from the date of his appointment and until his successor is appointed and qualified. The governor and council may remove the coordinator only as provided in RSA 4:1. The coordinator shall be the governor's liaison with the national highway safety agency, and he will aid the governor in the coordination of inter-departmental activities and those of the various political subdivisions.

**239-B:8 Staff.** Subject to state personnel regulations and within budgetary appropriations, the coordinator of highway safety shall appoint such field representatives, secretarial and clerical assistants as may be needed to carry out the purpose of this chapter.

**239-B:9 Gifts and Grants.** The governor is authorized to receive gifts and grants from any source, public or private in the name of the state, and to expend these monies for the state highway safety program. Any monies accepted by the governor shall be deemed to be an appropriation of the same amount for the purposes hereof.

**333:2 Salary of Coordinator.** Amend RSA 94:1, as amended, by inserting in the appropriate alphabetical position the following:

Coordinator of highway safety	12,000	13,500
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**333:3 Traffic Safety Commission.** Amend RSA 259-A:2 by striking out the same and inserting in place thereof the following: **259-A:2 Powers and Duties.** The traffic safety commission is authorized to act in an advisory capacity to the state coordinator of highway safety.

**333:4 Amendment.** Further amend RSA 259-A by striking out section 3 of said chapter.

**333:5 Effective Date.** This act shall take effect July 1, 1967.  
[Approved July 3, 1967.]  
[Effective date July 1, 1967.]

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## CHAPTER 334.

AN ACT PROVIDING FOR THE REPAIR OR REMOVAL OF HAZARDOUS BUILDINGS  
IN CITIES AND TOWNS AND FOR THE FILLING OF HAZARDOUS  
BUILDING EXCAVATIONS THEREIN.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**334:1 Hazardous Buildings.** Amend RSA by inserting after chapter 155-A as inserted by 1955, 191 the following new chapter:

### Chapter 155-B

#### Hazardous and Dilapidated Buildings

**155-B:1 Definitions.** For the purposes of this chapter, the following terms have the following meanings:

- I. "Building" includes any structure or part of a structure.
- II. "Hazardous building" means any building which, because of inadequate maintenance, dilapidation, physical damage, unsanitary condition, or abandonment, constitutes a fire hazard or a hazard to public safety or health.
- III. "Governing body" means the city council or the selectmen of a town.

**155-B:2 Repair or Removal of Hazardous Building.** The governing body of any city or town may order the owner of any hazardous building within the municipality to correct the hazardous condition of such building or to raze or remove the same.

**155-B:3 Order; Contents.** The order shall state, in writing, the grounds therefor, specifying the necessary repairs, if any, and providing a reasonable time for compliance. It shall also state that a motion for summary enforcement of the order will be made to the court of the district or municipality in which the hazardous building is situated unless

corrective action is taken, or unless an answer is filed within the time specified in section 6.

**155-B:4 Order; Service.** The order shall be served upon the owner of record, or his agent if an agent is in charge of the building, and upon the occupying tenant, if there is one, and upon all lien holders of record, in the manner provided for service of a summons in a civil action. If the owner cannot be found, the order shall be served upon him by posting it at the main entrance to the building and by four weeks' publication in a published newspaper of the municipality if there is one, otherwise in a newspaper of general circulation in the state.

**155-B:5 Order; Filing.** A copy of the order with proof of service shall be filed with the clerk of the court of the district or municipality in which the hazardous building is located not less than five days prior to the filing of a motion pursuant to section 7 to enforce the order. The appropriate district or municipal court shall have jurisdiction under this chapter notwithstanding any contrary provisions in RSA 502-A:14 or in any other section of RSA. At the time of filing such order the governing body shall file for record with the register of deeds a notice of the pendency of the proceeding, describing with the reasonable certainty the lands affected and the nature of the order. If the proceeding be abandoned the governing body shall within ten days thereafter file with the register of deeds a notice to that effect.

**155-B:6 Answer.** Within twenty days from the date of service, any person upon whom the order is served may serve an answer in the manner provided for the service of an answer in a civil action, specifically denying such facts in the order as are in dispute.

**155-B:7 Default Cases.** If no answer is served, the governing body may move the court for the enforcement of the order. If such a motion is made the court may, upon the presentation of such evidence as it may require, affirm or modify the order and enter judgment accordingly, fixing a time after which the governing body may proceed with the enforcement of the order. The clerk of the court shall cause a copy of the judgment to be mailed forthwith to persons upon whom the original order was served.

**155-B:8 Contested Cases.** If an answer is filed and served as provided in section 6, further proceedings in the action shall be governed by the rules of civil procedure for the district or municipal courts, except that the action has priority over all pending civil actions and shall be tried forthwith. If the order is sustained following the trial, the court shall enter judgment and shall fix a time after which the building shall be destroyed or repaired, as the case may be, in compliance with the order as originally filed or modified by the court. If the order is not sustained, it shall be annulled and set aside. The clerk of the court shall cause a copy

of the judgment to be mailed forthwith to the persons upon whom the original order was served.

**155-B:9 Enforcement of Judgment.** If a judgment is not complied with in the time prescribed, the governing body may cause the building to be repaired, razed, or removed as set forth in the judgment. The cost of such repairs, razing, or removal shall be a lien against the real estate on which the building is located and may be levied and collected in the same manner as provided in RSA 80 for tax liens. When the building is razed or removed by the municipality, the governing body may sell the salvage and valuable materials at public auction upon three days' posted notice.

**155-B:10 Statement of Monies Received.** The municipality shall keep an accurate account of the expenses incurred in carrying out the order and of all other expenses theretofore incurred in connection with its enforcement, including specifically, but not exclusively, filing fees, service fees, publication fees, appraisers' fees, witness fees, including expert witness fees, and traveling expenses incurred by the municipality from the time the order was originally made, and shall credit thereon the amount, if any, received from the sale of the salvage, or building or structure, and shall report its action under the order, with a statement of monies received and expenses incurred to the court for approval and allowance. Thereupon the court shall examine, correct, if necessary, and allow the expense account, and, if the amount received from the sale of the salvage, or of the building or structure, does not equal or exceed the amount of expenses as allowed, the court shall by its judgment certify the deficiency in the amount so allowed to the municipal clerk for collection. The owner or other party in interest shall pay the same, without penalty added thereon, and in default of payment by December 1, the clerk shall certify the amount of the expense to the collector for entry on the tax lists as a charge against the real estate on which the building is or was situated and the same shall be collected in the same manner as other taxes and the amount so collected shall be paid into the municipal treasury. If the amount received for the sale of the salvage or of the building or structure exceeds the expense incurred by the municipality as allowed by the court, and if there are no delinquent taxes, the court shall direct the payment of the surplus to the owner or the payment of the same into court, as provided in this chapter. If there are delinquent taxes against the property, the court shall direct the payment of the surplus to the municipal treasurer to be applied to such taxes.

**155-B:11 Payment, Tender, Deposit in Court.** The net proceeds of a sale under section 9 or section 12 shall be paid to persons designated in the judgment in the proportions as their interests shall appear therein. Acceptance of such payment shall be taken as a waiver of all objections to the payment and to the proceedings leading thereto on the part of the



payee and of all persons for whom he is lawfully empowered to act. In case any party to whom a payment of damages is made be not a resident of the state, or his place of residence be unknown, or he be an infant or other person under legal disability, or, being legally capable, refuses to accept payment, or if for any reason it be doubtful to whom any payment should be paid, the municipality may pay the same to the clerk of court to be paid out under the direction of the court; and, unless an appeal be taken such deposit with the clerk shall be deemed a payment of the award.

**155-B:12 Personal Property of Fixtures.** If any building ordered razed, removed, or made safe and sanitary by repairs contains personal property or fixtures which will unreasonably interfere with the razing, removal, or repair of such building, or if the razing or removal of the building makes necessary the removal of such personal property or fixtures, the original order of the governing body may direct the removal of such personal property or fixtures within a reasonable time. If the property or fixtures are not removed by the time specified, and the governing body subsequently desires to enforce a judgment under the provisions of this chapter, it may sell the same at public auction as provided in section 9 or if without appreciable value, the governing body may destroy the same.

**155-B:13 Hazardous Excavations.** If in any city or town, an excavation for building purposes is left open for more than six months without proceeding with the erection of a building thereon, whether or not completed, or if any excavation or basement is not filled to grade or otherwise protected after a building is destroyed, demolished or removed, the governing body may order such excavation to be filled or protected or in the alternative that erection of a building begin forthwith if the excavation is for building purposes. The order shall be served upon the owner or his agent in the manner provided by section 4. If the owner of the land fails to comply with the order within fifteen days after the order is served upon him, the governing body shall cause the excavation to be filled to grade or protected and the cost shall be charged against the real estate as provided in section 9.

**155-B:14 Local Acts and Charter provisions.** The provisions of this chapter are supplementary to other statutory and charter provisions and do not limit the authority of any city or town to enact and enforce ordinances on the same subject.

**155-B:15 Appeal.** A party aggrieved by the judgment of a municipal or district court upon issue joined in such case may, within fifteen days after the rendition of the judgment, appeal to the superior court therefrom and the superior court shall hear said appeal forthwith.

**334:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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### CHAPTER 335.

AN ACT TO REPEAL CHARTERS OF CERTAIN CORPORATIONS AND RELATIVE TO  
THE EFFECTIVE DATE OF THE TAX ON TRANSFER OF REAL PROPERTY.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**335:1 Charters Repealed.** The charter or certificate of incorporation of each of the following named corporations is hereby repealed, revoked and annulled except as otherwise herein specified:

- A. A. D. & Son, Inc. (Manchester, 1958)
- A & D Fence Co., Inc. (Derry, 1965)
- A-M-R, Inc. (Dover, 1962)
- Abbott Company (Antrim, 1927)
- Ace Aluminum Products, Inc. (Dover, 1964)
- Ace Heating, Inc. (Salem, 1964)
- Ace Motor Sales, Inc. (Newport, 1962)
- Acox & Sons, Inc. (Formerly Milner & Acox, Inc., Exeter, 1959)
- Acrofab, Inc. (Laconia, 1962)
- Adler Realty Corporation (Salem, 1962)
- Adults Trailer Park, Inc. (Manchester, 1963)
- Alco Construction Corporation (Manchester, 1961)
- Aldrich-Huntley Inc. (Keene, 1943)
- Alexander Apartments, Inc. (Rochester, 1964)
- Allied Amoskeag Corporation (Manchester, 1953)
- Allied Land Co., Inc. (Bedford, 1961)
- Allstate Construction, Inc. (Portsmouth, 1965)
- Alpine Ambulance Service, Inc. (Nashua, 1965)
- Alpine House, Inc. (Newbury, 1964)
- Aluminum Associates Ltd., Inc. (Dover, 1963)
- American Cab Company, Inc. (Manchester, 1964)
- American Homes Realty, Inc. (Salem, 1964)
- American International Bowling Corporation of Dover (Concord, 1960)
- American Lumber Co., Inc. (Rochester, 1964)
- American Sheet Metal, Co., Inc. (Manchester, 1964)
- American Sign Company, Inc. (Manchester, 1963)
- Amoskeag Property Services, Inc. (Wilton, 1964)
- Andover Candle Light Inn, Inc. (Andover, 1964)
- Andover Silver Co., Inc. (Hudson, 1964)
- Andrea Sales of Dover, Inc. (Dover, 1959)

- Annalee, Inc. (Meredith, 1963)  
Antrim Realty Corporation (Antrim, 1958)  
Armco, Inc. (formerly A. E. McReel Company, Exeter, 1917)  
Armory Garage, Inc. (Manchester, 1937)  
Arrow Die, Inc. (Manchester, 1959)  
Associated Painters, Inc. (Portsmouth, 1961)  
Associated Services, Inc. (Portsmouth, 1961)  
Atlantic Roofing Co., Inc. (formerly Frederick U. Fogarty, Inc.,  
Dover, 1958)  
Attitash Mountain Corporation (Bartlett, 1962)  
Aumand, Paul J. Construction Co., Inc. (North Walpole, 1962)  
Auto Center, Inc. (formerly Hank & Ray Motor Sales, Inc., Somers-  
worth, 1959)  
Aviation Company of New England, Inc. (Laconia, 1960)  
B. and A. Realty, Inc. (Milford, 1960)  
B & W Artesian Wells, Inc. (Northwood, 1965)  
B & W Foods, Inc. (Somersworth, 1946)  
Baan, Inc. (Manchester, 1962)  
Bailey Farms, Inc. (New London, 1953)  
Balmin, Inc. (Concord, 1964)  
Bandon Lumber Company, Inc. (Moultonboro, 1964)  
Bar X Ranch, Inc. (Laconia, 1964)  
Barb Industries, Inc. (Bethlehem, 1958)  
Barrington Hills, Inc. (Barrington, 1965)  
Barten Lite-Weight Concrete Co., Inc. (Concord, 1959)  
Barto Realty Corporation, The (Laconia, 1956)  
Beach Machine Co., Inc. (Amherst, 1964)  
Beacon Adjustment Service Inc. (Manchester, 1959)  
Beauchene Card & Gift Shop, Inc. (Nashua, 1963)  
Beaver Lake Pavilion, Inc. (Derry, 1954)  
Belanger Bros. Construction Co., Inc. (Dunbarton, 1962)  
Belanger & Son, Inc. (Dunbarton, 1964)  
Bendin Realty Co., Inc. (Claremont, 1952)  
Berlin Hardwood Products, Inc. (Berlin, 1965)  
Berlin Motor Sales, Inc. (Berlin, 1949)  
Berman, Wendell, Insurance Agency, Inc. (Manchester, 1951)  
Bertram, Joseph H. Company, Inc. (Portsmouth, 1963)  
Bibeau, Brooke, Inc. (Rindge, 1965)  
Big Dipper, Inc., The (Dover, 1956)  
Big Wheel Corporation (Somersworth, 1953)  
Bildon Fibreglass Products, Inc. (Nashua, 1964)  
Bill Bob Builders, Inc. (Nashua, 1964)  
Bilodreau Bros. Insurance. Inc. (Berlin, 1961)  
Bilodeau Real Estate, Inc. (Berlin, 1961)  
Bishop Real Estate, Inc. (Moultonboro, 1957)

- Black Mountain Recreation Area, Inc. (Haverhill, 1962)  
Blackie's Yellow Checker Taxi, Inc. (formerly Blackie's Taxi, Inc., Nashua, 1955)  
Blier's Executive Shirt Service, Inc. (Merrimack, 1965)  
Bo-Jak, Inc. (Manchester, 1964)  
Braandson Limited, Inc. (Salem, 1963)  
Brae-Burn Sweaters, Inc. (Laconia, 1946)  
Brandano, G. & Sons Co., Inc. (Portsmouth, 1954)  
Breen, E. M., Inc. (Dover, 1955)  
Bretton Woods Company, The (formerly Mt. Pleasant Hotel Company, The, Carroll, 1882)  
Brett's, Inc. (Chocorua, 1953)  
Briand Acres, Inc. (Nashua, 1962)  
Briand, R. - L. Ducharme, Inc. (Nashua, 1961)  
Bridge Motor Sales, Inc. (Exeter, 1963)  
Brookhurst Development Corporation (Laconia, 1964)  
Brookwood Laboratories, Inc. (Greenville, 1960)  
Brookwood Motors, Inc. (Milford, 1964)  
Bug-A-Boo Products, Inc. (Dover, 1947)  
Bushong, Grady & Parker, Inc. (Manchester, 1964)  
Butler, John E., Incorporated (Hampton, 1963)  
Butternut Steak House, Inc. (Sugar Hill, 1963)  
Bygam, Inc. (Marlboro, 1962)  
C & M Livestock Co., Inc. (Barrington, 1964)  
CRLTA Realty Corporation (Pelham, 1963)  
Cabot Fuel Oil Corp. (Nashua, 1964)  
Cabot Heating & Service Corporation (formerly Cabot Heating and Services, Inc., Nashua, 1962)  
Cameron, A. J., Landscaping Service, Inc. (Farmington, 1958)  
Camp Boycroft, Inc. (Tuftonboro, 1953)  
Camp Winnemont, Inc. (West Ossipee, 1948)  
Cape Shore Associates, Inc. (Bartlett, 1957)  
Capital Motor Parts, Inc. (formerly Kelley Dupont Motors, Incorporated, formerly Capital Motors, Incorporated, The, Berlin, 1933)  
Caravan Luncheonette, Inc. (Manchester, 1964)  
Carignan, Gus. - Pete Dion, Inc. (West Franklin, 1964)  
Cash and Carry Cleaners of Derry, Inc. (Derry, 1957)  
Cavanaugh, Leo A., Inc. (Manchester, 1936)  
Cave & Hall, Inc. (Milford, 1963)  
Caza Bros. Inc. (Manchester, 1961)  
Cerco, Inc. (Keene, 1964)  
Chalet Village of Belknap Mountain, Inc. (Gilford, 1961)  
Charter Oaks Country Club, Inc. (Londonderry, 1964)  
Charter Oaks Estates, Inc. (Nashua, 1964)  
Chem-Wood Products, Inc. (Nashua, 1964)

- Chicken Delight of Manchester, Inc. (Manchester, 1964)  
Chocorua Park, Inc. (Albany, 1963)  
Churchill Home (Lebanon, 1948)  
Circle K Market of Hampton, Inc. (Hampton Beach, 1964)  
City Roofing Co., Inc. (Salem, 1964)  
Claremont Motor Co., Inc. (Claremont, 1953)  
Clinton and South Village Water Company, Incorporated (Antrim,  
1952)  
Clover Investment Associates, Inc. (Dover, 1959)  
Club Woodcrest, Inc. (Springfield, 1965)  
Cocheco Associates, Inc. (Dover, 1955)  
Coffee Corner Corporation of Pennsylvania, Inc. (Manchester, 1961)  
Coin Controlled Industries, Inc. (Manchester, 1963)  
Colebrook Center, Incorporated (Colebrook, 1951)  
Colonial Aviation, Inc. (Windham, 1965)  
Commsite, Inc. (Dover, 1965)  
Compass Point, Inc. (Portsmouth, 1963)  
Concord Cab Corporation (Concord, 1964)  
Concord Distributing Service Inc. (Concord, 1960)  
Concord Leather and Skins Corporation (Concord, 1963)  
Connelly Fuels Co., Inc. (Walpole, 1961)  
Consolidated Constructors, Inc. (formerly Trumbull Associates, Inc.,  
The, Hanover, 1945)  
Consolidated Engineering Service Company, Inc. (Amherst, 1963)  
Consolidated Underwriters, Inc. (Hampton, 1963)  
Constant, N. J., Jewelry & Engraving Corp. (Nashua, 1964)  
Contract Vinyl Interiors, Inc. (Derry, 1965)  
Coolidge, A. W., Ski Schools, Inc. (Andover, 1962)  
Coos Lumber Company, Incorporated (Milan, 1959)  
Corcoran Publishing Co., Inc. (Portsmouth, 1961)  
Corkay, Inc. (Laconia, 1961)  
Corliss, Harvey C., & Son, Inc. (Colebrook, 1964)  
Corner Cash Market, Inc. (Manchester, 1959)  
Corrigan Construction Co., Inc. (Gorham, 1954)  
Crafts Town International, Inc. (Meredith, 1962)  
Crescent Motors, Inc. (Berlin, 1953)  
Custom Remodeling, Inc. (Nashua, 1963)  
Cutter's Transportation, Inc. (Epsom, 1959)  
Cybernetics Corp of America (Manchester, 1962)  
Cy's Sunoco Service, Inc. (Bristol, 1962)  
D A N Realty Corporation (Pelham, 1965)  
Dale Leather Co., Inc. (Manchester, 1953)  
Damago, Inc. (Charlestown, 1965)  
Davis Associates, Inc. (Hollis, 1965)  
Davis Painting Company Incorporated (Rochester, 1953)

- Dean & Lozeau, Inc. (Merrimack, 1964)  
Deepwood Associates, Inc. (Moultonboro, 1963)  
Delarion Salvage Company, Inc. (Nashua, 1962)  
Delta Shoe Corporation (Newport, 1965)  
Demaine-Jewell Lumber Corp. (Danville, 1964)  
Demers & Starkey, Inc. (Manchester, 1964)  
Dependable Tool & Die Co., Inc. (Manchester, 1961)  
Depot Oil, Inc. (formerly Triangle Oil, Inc. (Salem, 1964)  
Derry Publishing Company, Inc. (Derry, 1959)  
Derry Textile Fibre Mills, Inc. (Derry, 1962)  
Devine Sporting Goods, Inc. (Milford, 1962)  
Devine's Creamery, Inc. (Lyme, 1947)  
Dining Stables, Inc. (Exeter, 1965)  
Diversified Management, Inc. (Keene, 1963)  
Do-Am Enterprises, Inc. (Dover, 1959)  
Don-Lee Car Rental, Inc. (Manchester, 1962)  
Donnelly Garage, Inc. (Manchester, 1963)  
Dor-Ran Corporation (Manchester, 1964)  
Dosco, Inc. (Somersworth, 1959)  
Double-C Corporation (Gilford, 1965)  
Douglas & Kennedy, Inc. (Salem, 1963)  
Dover Motor Sales, Inc. (formerly J. and V. Motor Sales, Inc., Dover,  
1960)  
Dover Shopping Plaza, Inc. (Portsmouth, 1960)  
Dumas & Sons Enterprises, Inc. (Somersworth, 1964)  
Dun-Rite Corporation (Nashua, 1965)  
Dupont Heating Products Corp. (Manchester, 1965)  
Durkee's Farm Super Market, Inc. (Seabrook, 1959)  
E. & L. Investments, Inc. (Manchester, 1965)  
Eastern Cable Vision, Inc. (Concord, 1964)  
Eastern Distributors, Inc. (Concord, 1958)  
Eastern Products Corporation (Manchester, 1962)  
Edgcomb Building Products, Inc. (Manchester, 1963)  
Edhy Incorporated (Manchester, 1965)  
1812 Steak House and Motor Lodge, Inc. (North Conway, 1962)  
Electropac, Inc. (Peterborough, 1960)  
Elmwood Pontiac, Inc. (formerly Higgins Pontiac Inc. Keene, 1956)  
England & Carignan, Inc. (Tilton, 1964)  
English Hill Corporation (Andover, 1959)  
Equipment Supply, Inc. (Manchester, 1965)  
Espere Corporation (Newmarket, 1964)  
Essex Fiberglass of N. H., Inc. (Salem, 1963)  
Esty Sprinkler Company (Lakeport, 1893)  
Etlo Auto Supply of Nashua, Inc. (Concord, 1963)  
Etlo Auto Supply of New Hampshire, Inc. (Concord, 1962)

- FB Equipment Corporation (Keene, 1955)  
F. & G. Home Improvement Co. of Portsmouth, Inc. (Portsmouth, 1965)  
Fairlane Cleaners, Inc. (Raymond, 1962)  
Fary Auto Sales, Inc. (Salem, 1965)  
Fauster's Service Station, Inc. (Concord, 1961)  
Fibertex Corporation (Portsmouth, 1948)  
Fixture Corporation (Manchester, 1957)  
Fluid Powers Specialties Manufacturing Corp. (formerly Watts Fluid Power Products Corp., Exeter, 1966)  
Forbes Farm, Inc. (Colebrook, 1959)  
Four-Seventeen Inc. (Manchester, 1961)  
Fournier Funeral Home, Inc. (Greenville, 1959)  
Franklin Enterprises Incorporated (West Franklin, 1963)  
Fremont Chipwood Corporation (Fremont, 1957)  
French, Marshall, & Sons, Inc. (Meredith, 1959)  
G. & B. Realty, Inc. (Berlin, 1964)  
G B C Corporation (formerly G B C Corporation of New England, Concord, 1961)  
G. G. & C., Inc. (Milford, 1964)  
G & H Realty Company, Inc. (Manchester, 1945)  
G & R Foods, Inc. (Manchester, 1962)  
Gain and LaVoie, Inc. (Claremont, 1964)  
Galson Corporation (Claremont, 1964)  
Garrison Inn, Inc. (Nashua, 1963)  
Gate City Development Corp. (Nashua, 1962)  
Gate City Realty, Inc. (Nashua, 1960)  
Gawle's Grove, Inc. (Sandown, 1963)  
Gekas, Anthony G., Inc. (Tilton, 1964)  
Gendron, N. J., Lumber Co. of Portsmouth, Inc. (Portsmouth, 1952)  
General Northern, Inc. (Portsmouth, 1964)  
Gerhardt's Gourmet, Inc. (Belmont, 1963)  
Giguere's Blacksmith Shop, Inc. (Berlin, 1953)  
Gilford Oil Service, Inc. (Laconia, 1963)  
Girard Iron Works, Inc. (Manchester, 1963)  
Girard Rambler, Inc. (Claremont, 1962)  
Glen Lake Foods, Inc. (Goffstown, 1960)  
Glenn Garry Associates, Inc. (Newton, 1965)  
Glenn Garry Realty, Inc. (Newton, 1965)  
Globe Home Improvement Co., Inc. (Manchester, 1964)  
Golden Brook Construction Corporation (Pelham, 1956)  
Golding-Keene Company (Keene, 1953)  
Goldsmith Flying Service, Inc. (Nashua, 1947)  
Golf Enterprises, Inc. (Hooksett, 1963)  
Gordon, George J., Inc. (Nashua, 1961)

- Gordon's Market, Inc. (Dover, 1950)  
Gosselin Paint Store, Inc. (Berlin, 1953)  
Granite State Land and Development Corporation (Concord, 1963)  
Granite State Lumber, Incorporated (Nashua, 1965)  
Granston Theatres Inc. (Lancaster, 1936)  
Granton Supply Co., Inc. (Rochester, 1965)  
Gravel Crushing Incorporated (Alstead, 1957)  
Gray's Inn Associates, Incorporated (Jackson, 1954)  
Greater Meredith Development Corporation (Meredith, 1964)  
Greenbriar Construction Corp. (Pelham, 1965)  
Group Insurance Associates, Inc. (Concord, 1963)  
Grove Realty Co., Inc., The (Manchester, 1961)  
Guide Publishing Company, Inc. (Manchester, 1965)  
Gulley, Ralph, Trucking Company, Incorporated (Pembroke, 1965)  
Guyco, Inc. (formerly The MacMillan Company, Inc., Keene, 1946)  
H & B Construction Co. Inc. (Dover, 1960)  
H & C Construction & Building Co., Inc. (Nashua, 1964)  
H. & F. Realty Inc. (formerly Hickox Imports Inc., Manchester, 1962)  
H and H Airways, Inc. (Nashua, 1955)  
Hallmark Homes, Inc. (Danville, 1962)  
Hamel, J. P. Co., Inc. (Bedford, 1962)  
Hampshire Engraving Corporation (Manchester, 1948)  
Hampshire House of Hanover, Inc. (Hanover, 1957)  
Hampton Development Corp. (Portsmouth, 1965)  
Hampton Floor Co., Inc. (North Hampton, 1962)  
Hampton Nursing Home, Inc. (Hampton, 1963)  
Handy Tool, Inc. (Northfield, 1953)  
Hanover Launderama, Inc. (Hanover, 1963)  
Hayes, Alfred E., Inc. (formerly Hayes and Lamoreux, Inc., Winchester, 1957)  
Hayford Insurance Corporation (formerly Hayford & Mucher, Inc., Wolfeboro, 1961)  
HEPT, Inc. (Manchester, 1958)  
Herb's Supermarkets, Inc. (Dover, 1964)  
Hermon Realty Company, Inc. (Dover, 1962)  
Hillsboro House, Inc. (Hillsboro, 1964)  
Hitchcock-Curtiss Knitting Co., Inc. (Nashua, 1950)  
Hitching Post, Inc. (Center Ossipee, 1962)  
Hobby Horse Hill Stables, Inc. (Alton, 1958)  
Hobby House Foods, Inc. (South Lyndeboro, 1964)  
Hobson's Choice Auto Sales, Inc. (Exeter, 1965)  
Holiday Investment Corporation (Manchester, 1962)  
Holiday Lake Management Corporation (Barrington, 1966)  
Holmes Ltd. Specialties Corp. (East Hampstead, 1964)  
Holmes Transportation Service, Inc. (Manchester, 1962)



Home Designs, Inc. (Allentown, 1962)  
Hooksett Investment Corporation (Hooksett, 1958)  
Hotel Enterprises, Inc. (Manchester, 1964)  
Hotel Moody, Inc. (Claremont, 1963)  
Hounsell Recreational Properties, Inc. (Meredith Neck, 1958)  
Houses, Inc., The (Alstead, 1935)  
Hubbard Plastics, Inc. (Plaistow, 1964)  
Humphrey, James A., Inc. (Franklin, 1963)  
Hunt, Erwin A., Inc. (Dover, 1965)  
Hunter Hosiery, Incorporated (Laconia, 1949)  
Hyridge Excavators, Inc. (Jaffrey, 1964)

Ideal Enterprises, Inc. (Manchester, 1956)  
Ideal Tire Corp. (Goffstown, 1962)  
Imperial Footwear, Inc. (Farmington, 1956)  
Imperial Gas Service, Inc. (Epping, 1964)  
Imperial Motors, Inc. (Dover, 1965)  
Independent Heating Service, Inc. (Nashua, 1964)  
Indian Head of Lincoln, N. H., Inc. (Lincoln, 1962)  
Indian Head Realty Corporation (Nashua, 1951)  
Indian Head and Shadow Lake, Inc. (Lincoln, 1956)  
Industrial Pipe & Equipment Corp. (Nashua, 1960)  
Insulation Consultants of N. H., Inc. (Manchester, 1964)  
Insur-All Agency, Inc. (Hampton, 1963)  
International Contractors, Inc. (Portsmouth, 1962)  
Interstate Electric Company, Inc. (Portsmouth, 1964)

J-A Motor Sales, Inc. (Manchester, 1961)  
J. P. Construction Corp. (Nashua, 1965)  
Jaffrey Realty Corporation, The (Jaffrey, 1965)  
Jay's Department Store, Inc. (North Swanzey, 1965)  
Jensen Enterprises, Inc. (Bethlehem, 1963)  
Jep Enterprises, Inc. (Bethlehem, 1956)  
Joe's Auto Sales, Inc. (formerly Murphy Auto Body, Inc., Keene,

1964)

Johnny's Variety, Inc. (Nashua, 1959)  
Johnson Enterprises, Inc. (Portsmouth, 1965)  
Jolie Shoes, Inc. (Nashua, 1959)  
Jones, Donald G., Co., Inc. (Manchester, 1964)  
Joseph's Corporation (Seabrook, 1961)  
Joy Swimming Pool Co., Inc. (Nashua, 1963)  
Joycap Lanes, Inc. (Concord, 1964)  
Judge, Robert W., Incorporated (Moultonboro, 1963)

K C L N, Incorporated (formerly Kinsman Manufacturing Co., Inc.,  
Laconia, 1956)

Kalian Corporation (Manchester, 1963)

- Kapgo Plastics Corporation (Manchester, 1959)  
Karanikas, Phil, Inc. (Goffstown, 1964)  
Keene Building Supplies Corporation (Keene, 1955)  
Ken's Dairy Store, Inc. (Nashua, 1964)  
Kent-McCray of Dover, N. H., Inc. (Portsmouth, 1962)  
Kesaugh Inn, Inc. (Bartlett, 1963)  
Key Footwear, Inc. (Newport, 1965)  
Kiddies' Paradise, Inc. (formerly Manchester Boys and Girls Town, Inc., Manchester, 1965)  
Kimball, E. H., Co., Inc. (Lee, 1961)  
King Hob Nob, Inc. (Portsmouth, 1964)  
King Industries, Incorporated (Laconia, 1961)  
Kinney-Bunting, Inc. (Atkinson, 1964)  
Klev-Bro. Shoe Mfg. Co. Inc. (formerly Klev-Bro Shoe Co., formerly Savoy Shoe Corporation, Derry, 1938)  
Knitting Techniques, Inc. (Laconia, 1962)  
Knowles, Edward R., Inc. (Nashua, 1962)  
Knox Motor Lodges, Inc. (formerly J-Hill, Inc., Concord, 1953)  
Kwik-Kafe of New Hampshire, Inc. (Manchester, 1950)  
  
LDL Appliance, Inc. (Exeter, 1962)  
L. & P., Inc. (Portsmouth, 1961)  
Labonville Trucking Co., Inc. (Gorham, 1961)  
Laconia Dyeworks, Inc. (Laconia, 1960)  
Ladd, W. E., & Associates, Inc. (Hampton, 1964)  
Lakeside Spa Incorporated (Manchester, 1946)  
Lakeview Shores, Inc. (Alton, 1964)  
Lambert Motors, Inc. (Peterborough, 1947)  
Lamothe Construction Co., Inc. (Portsmouth, 1959)  
Lamothe Development Corporation (formerly Lamothe Construction Co., Inc., Rye, 1957)  
Lamothe Realty, Inc. (Portsmouth, 1959)  
Lamy Realty Corporation (Manchester, 1959)  
Land Developers, Inc. (Ashland, 1957)  
Land Yachts, Inc. (Amherst, 1964)  
Landry Insurance Agency, Inc. (formerly Landry-Kellett Insurance Agency, Inc., Salem, 1962)  
Langley's of Hampton, Inc. (Portsmouth, 1956)  
Lantana Corporation (Hanover, 1959)  
Lavoie and Day, Inc. (Haverhill, 1964)  
LeBo Corporation (Nashua, 1965)  
Lee-Sterling, Inc. (Laconia, 1961)  
Levi's, Inc. (Chesterfield, 1963)  
Lewis & Sons, Inc. (Concord, 1933)  
Liljeberg & Liljeberg, Inc. (Amherst, 1964)  
Linaberry Buick, Inc. (Hampton, 1959)

- Lincoln Home Improvement, Inc. (Dover, 1965)  
Linear Electronics, Inc. (Somersworth, 1964)  
Linwood Associates, Inc. (North Woodstock, 1962)  
Lisbon Shoes, Inc. (Lisbon, 1957)  
Little Harbor Country Day School, Inc. (Rye, 1964)  
Littleworth Development, Inc. (Dover, 1958)  
Lobaki, Inc. (Peterborough, 1963)  
Log Cabin Chanticleer, Corp. (Derry, 1962)  
Long & Mitchell, Inc. (Plymouth, 1963)  
Longwood Lanes, Inc. (Center Harbor, 1964)  
Loomis, J. R., Electric Co., Inc. (Salem, 1965)  
Louis Verza Leather, Inc. (formerly Hingston Leather Company, Inc., Franklin, 1952)  
Lunt Company, Inc., The (Portsmouth, 1961)  
Lu-Ray Building Corp. (Plaistow, 1966)
- McCoy Cemetery Association, The (Gilford, 1905)  
McKay-Landers Corporation (Portsmouth, 1964)  
McKenna's Service Station, Inc. (Dover, 1959)  
McLaughlin Mayflower, Inc. (Nashua, 1956)  
McTay Corp. (Nashua, 1964)  
M-B Corporation (formerly Merrill-Boyden Corporation, Milford, 1960)  
M. C. Const. Co., Inc. (Candia, 1961)  
M & C Realty Corporation (Salem, 1962)  
Macco Industries, Inc. (Hampton, 1964)  
Maclay, Inc. (Nashua, 1961)  
Madison Homes, Inc. (Salem, 1965)  
Madison Pools, Inc. (Salem, 1965)  
Magna Line, Inc. (Bristol, 1964)  
Maine Line Erectors Company of New Hampshire, Inc. (Concord, 1962)  
Manchester Buildings, Inc. (Manchester, 1964)  
Manchester Chapter S.P.E.B.S.Q.S.A., Inc. (Manchester, 1963)  
Manchester Citizens Band Club (Manchester, 1962)  
Manchester Construction Company, Inc. (Manchester, 1965)  
Manchester Morris Plan Bank (Manchester, Laws 1921)  
Manchester Morris Plan Company (Manchester, 1916)  
Manchester Motor Outlet, Inc. (Manchester, 1962)  
Mandy's Hut, Inc. (Nashua, 1965)  
Mann Enterprises, Inc. (formerly Rainbow Associates of N. H., Inc., Manchester, 1963)  
March Investors, Inc. (Portsmouth, 1958)  
Maric Company, Inc., The (Derry, 1964)  
Marine Service Corporation (Durham, 1963)  
Marlow Mills Corporation, The (Marlow, 1959)

Martin Enterprises, Inc. (Lincoln, 1964)  
Mascoma Enterprises, Inc. (Enfield, 1964)  
Masellis-Cody Construction Corp. (Nashua, 1963)  
Maskell Well Co., Inc. (Farmington, 1965)  
Mathes & Mathes, Inc. (Londonderry, 1962)  
Mathews, William A., Inc. (Hollis, 1964)  
Maynard's of Claremont, Inc. (Claremont, 1962)  
Meadows, Inc., The (Hudson, 1952)  
Medequip Co., Inc. (Rochester, 1964)  
Meerwood Corporation, The (Marlboro, 1963)  
Melvin Men's Club (Melvin Village, 1926)  
Meredith Investment Corp. (Hampton, 1958)  
Merrimack Valley Communications, Inc. (Plaistow, 1965)  
Merritex Industries, Inc. (Merrimack, 1964)  
Messier Oil & Automotive Supply, Inc. (Nashua, 1965)  
Metropolitan Engine Rebuilding, Inc. (Manchester, 1963)  
Michael, Joseph, Realty Corporation (Rochester, 1949)  
Mickey Finn, Inc. (Manchester, 1948)  
Micro Sonic, Inc. (Plymouth, 1959)  
Mid-Towns Plaza Shopping Center, Inc. (Manchester, 1963)  
Midway Baking Corporation (Merrimack, 1964)  
Mijan Realty, Inc. (Manchester, 1965)  
Miller, George E., Associates, Inc. (Antrim, 1963)  
Mingolla Machinery Co., Inc. (Concord, 1957)  
Minuteman Acceptance Corp. (Manchester, 1964)  
Miss 'N' Master, Inc. (Franklin, 1958)  
Mitchell, William, Golf Course Designers, Inc. (Manchester, 1963)  
Mobility Incorporated (Concord, 1964)  
Mohican Foods, Inc. (Manchester, 1965)  
Monadnock Builders, Inc. (Peterborough, 1961)  
Monadnock Grill & Diner, Inc. (Keene, 1950)  
Monadnock Travel Bureau, Inc. (Jaffrey, 1963)  
Monomonock Industries, Inc. (Rindge, 1964)  
Moody, Roger B. Enterprises, Inc. (Peterborough, 1964)  
Moore, Inc. (Manchester, 1937)  
More Dry Wall Co., Inc. (Manchester, 1965)  
Morelands Investment Corporation (Dublin, 1964)  
Mt. Whittier Inn Corp. (West Ossipee, 1963)  
Mudgett's, Inc. (Concord, 1961)  
Naboshek's Corporation (Berlin, 1945)  
Nashtam Realty, Inc. (Nashua, 1963)  
Nashua Aircraft Incorporated (Nashua, 1964)  
Nashua Shoe Corporation (Nashua, 1964)  
Nashua Tool and Grinding, Inc. (Nashua, 1963)  
National Budget Corporation (Manchester, 1964)

- National Decorating and Renovating Co., Inc. (Manchester, 1927)  
 Neu-Mayer, Inc. (Littleton, 1962)  
 New Claremont Motors, Inc. (Claremont, 1965)  
 New England Artcraft Industries, Inc. (Windham, 1964)  
 New England Bumper Co., Inc. (Somersworth, 1964)  
 New England Color Press, Inc. (Concord, 1960)  
 N. E. Construction Equipment Company, Inc. (Manchester, 1959)  
 New England Country Store, Inc. (Hampton, 1964)  
 New England Equipment Sales Corporation (formerly Eastern Sno-  
 Equipment Corporation, Concord, 1962)  
 New England Hobby & Sports Center, Inc. (Nashua, 1960)  
 New England Industries and Products, Inc. (Concord, 1965)  
 New England Paving Corp. (Nashua, 1961)  
 New England Research, Inc. (Hanover, 1964)  
 New England Selective Breeding Association, Inc. (Manchester, 1958)  
 New England Shirt Rental Co., Inc. (Milford, 1965)  
 New England Specialties, Inc. (Dover, 1965)  
 N. H. Acceptance Co., Inc. (Manchester, 1956)  
 New Hampshire Air Freight Cartage, Inc. (Manchester, 1965)  
 New Hampshire Asphalt Roads, Inc. (Manchester, 1937)  
 New Hampshire Auto Co., The (Manchester, 1921)  
 N. H. Car Wholesalers, Inc. (Sutton, 1964)  
 New Hampshire Catering Co., Inc. (Concord, 1962)  
 New Hampshire Charter Boat Service, Inc. (Manchester, 1963)  
 New Hampshire Development Corporation (Manchester, 1965)  
 New Hampshire Food Store, Inc. (Portsmouth, 1962)  
 New Hampshire Forest Development Association, Inc. (Concord,  
 1964)  
 New Hampshire Helicopters, Inc. (Manchester, 1962)  
 New Hampshire Industrial Sanitation, Inc. (Nashua, 1964)  
 New Hampshire Motel Association (Salem, 1963)  
 N. H. Sportsraft Inc. (Wolfeboro, 1953)  
 New Hampshire Town Crier, Inc. (Jaffrey, 1962)  
 New Hampshire-Vermont Breeding Association (formerly New  
 Hampshire Breeding Association, Concord, 1944)  
 New Hampshire Washerama, Inc. (Nashua, 1958)  
 New Hampton Discount Corporation (New Hampton, 1950)  
 New London Bowling Center, Inc. (New London, 1959)  
 Newport Airways, Inc. (Newport, 1956)  
 Newport Investors Incorporated (Newport, 1963)  
 Newport Shoe Mfg. Corporation (Newport, 1956)  
 News and Book Shop, Inc. (Franklin, 1958)  
 Norge Village of Manchester, Inc. (Manchester, 1962)  
 North American of Portsmouth, Inc. (Portsmouth, 1964)  
 North Atlantic Rental Corporation (Portsmouth, 1963)

- Northeast Builders, Inc. (Portsmouth, 1964)  
Northeast Controls, Inc. (Concord, 1961)  
Northeast Marina, Inc. (Wolfeboro, 1958)  
Northeast Pools, Inc. (Stratham, 1961)  
Northeast Public Relations, Incorporated (Concord, 1961)  
Northeastern Construction Co., Inc. (No. Hampton, 1960)  
Northeastern Liquidators, Inc. (formerly Northeastern Engineering Inc., Manchester, 1945)  
North Mount Uncanoonuc Corporation (Goffstown, 1963)  
North and South Shop, Inc. (Laconia, 1960)  
Northern Enterprises, Inc. (formerly Northern Salt Service, Inc., Merrimack, 1959)  
Northern States Credit Adjustors, Inc. (Portsmouth, 1963)  
Nu Sweep Company, Inc. (Manchester, 1964)  
O. G., Inc. (Manchester, 1960)  
Odd Fellows Building Association (Lakeport, 1893)  
Oja, Roger E., Inc. (Peterborough, 1961)  
Old Pine Cupboard, Inc., The (No. Conway, 1964)  
Oliver, Raymond B., Inc. (Derry, 1962)  
Onahill Farm, Inc. (Clarksville, 1961)  
118 Stark Street, Inc. (Manchester, 1963)  
Optical Shop, Inc., The (Manchester, 1965)  
Orford Inn, Inc. (Orford, 1959)  
Ossipee Lake Marina, Inc. (Ossipee, 1964)  
Ossipee Marina, Inc. (Ossipee, 1959)  
Ouellette Construction, Inc., A. (Pelham, 1965)  
P. & E. Plywood Barn, Inc. (Plaistow, 1963)  
P & F Tile Company, Inc. (Rochester, 1964)  
P and M Heel Company, Inc. (Farmington, 1961)  
Packer's Outlet, Inc. (Franklin, 1963)  
Pam Realty, Inc. (West Hampstead, 1955)  
Paper City Television Cable Corporation (formerly United Cable-vision Inc., Manchester, 1965)  
Paquette's Farm, Inc. (Pittsburg, 1965)  
Parade of Presidents, Inc. (Hanover, 1963)  
Paragon Food Products Inc. (Derry, 1954)  
Parks, James and Associates, Inc. (Manchester, 1956)  
Parks Superior Sales, Inc. (Derry, 1960)  
Pat-A-Mar Ranch, Inc. (Troy, 1961)  
Patco, Inc. (Portsmouth, 1959)  
Patten's Enterprises, Inc. (Newport, 1965)  
Patterson Bros., Inc. (Somersworth, 1956)  
Patterson, D. M., Associates, Inc. (Milan, 1964)  
Paving Products, Inc. (formerly G B C Corporation of New England, Concord, 1961)

- Pearl Fireworks Display Company, Inc., The (Seabrook, 1964)  
Pearl Fireworks Manufacturing Company, Inc., The (Seabrook, 1964)  
Pelham Plaza, Inc. (Pelham, 1964)  
Pemigewasset Junior Woman's Club, Inc. (Plymouth, 1962)  
Perfect Platemakers Corporation (formerly Roosevelt Electrotyping Corporation, Concord, 1962)  
Pergatex Corp. of America (Keene, 1963)  
Perkinson, L. M., Inc. (Newport, 1954)  
Personality Studies, Inc. (Hanover, 1965)  
Peter Pan Pancake House, Inc. (North Conway, 1964)  
Peter Rabbit Management Corp. (Rye, 1965)  
Peter Rabbit Nursery School, Inc. (Hampton, 1964)  
Peter Rabbit Properties, Inc. (Hampton, 1964)  
Peterson Plastics, Inc. (Newport, 1956)  
Phillips Plumbing & Heating, Inc. (Epping, 1965)  
Phil's Canteen Service, Inc. (Manchester, 1964)  
Phinney, George, Inc. (Newfields, 1965)  
Pic-Craft, Inc. (Manchester, 1965)  
Pillsbury, L. H. & Son (Derry, 1911)  
Pine Crest Nursing Home, Inc. (Nashua, 1963)  
Pine Haven Campground, Inc. (Wentworth, 1962)  
Pine Ridge, Inc. (Bedford, 1964)  
Pinnacle Mountain Development Corporation (Roxbury, 1959)  
Pioneer Printing Company, Inc. (Spofford, 1962)  
Pipeline Construction Corporation, The (Jaffrey, 1965)  
Piper Heating Co., Inc. (Portsmouth, 1959)  
Plaids 'N Things, Inc. (Plaistow, 1964)  
Plaistow Drive-In Theatre, Inc. (Plaistow, 1956)  
Playboy of New Hampshire, Inc. (Nashua, 1963)  
Pleasant View Country Club, Inc. (Gilford, 1963)  
Pleasant View Development Corp. (Gilford, 1964)  
Pond Jewelers of Manchester, Inc. (Manchester, 1951)  
Porter Building, Inc. (W. Lebanon, 1961)  
Portsmouth Harley-Davidson Sales, Inc. (Rye, 1965)  
Portsmouth Investors, Inc. (Portsmouth, 1959)  
Portsmouth Shopping Plaza, Inc. (Portsmouth, 1960)  
Portsmouth Truck and Tractor, Inc. (Portsmouth, 1959)  
Potter, Clarence A., Inc. (Conway, 1965)  
Poultry Products, Inc. (Peterborough, 1963)  
Powell, D. W., Enterprises, Inc. (Nashua, 1960)  
Pozerycki, John W., Company, Inc. (Bristol, 1960)  
Presidential Inn, Inc. (formerly Presidential Inn Corporation, Conway, 1960)  
Prestige Homes, Inc. (Concord, 1960)  
Preston & Parsons, Inc. (Dover, 1965)

- Professional Adjustment Service, Inc. (Manchester, 1963)  
Professional Salesmen's Association of America, Inc. (Sugar Hill, 1965)  
Profit Sharing Systems, Inc. (Manchester, 1954)  
Prolet Corporation (Manchester, 1964)  
Proulx, Maurice, Inc. (Exeter, 1965)  
  
Quabbin Machine Tool Co., Inc. (Keene, 1965)  
Quality Fruit Exchange Inc. (Nashua, 1950)  
Queen City Motors, Inc. (Manchester, 1948)  
  
RDS, Inc. (Dover, 1964)  
R & J Advertising, Inc. (New Castle, 1961)  
R. P. B. Liquidating Company, Inc. (formerly R. P. Burroughs Company, Inc., Manchester, 1946)  
R. and R. Development Corp. (Nashua, 1963)  
Railroad Reproductions, Incorporated (Concord, 1963)  
Raleigh, Maurice, Inc. (Manchester, 1954)  
Ramsey Supply Co., Inc. (Rochester, 1956)  
Raydon Industries, Inc. (Manchester, 1959)  
Raymond, M. G., Inc. (Manchester, 1947)  
Ray's Sunoco & Sports Shop, Inc. (Dover, 1962)  
Red Brick House, Inc. (Hampton Falls, 1961)  
Redwing Park for Mobile Homes, Inc. (Tilton, 1964)  
Refrigeration and Industrial Supply of New Hampshire, Inc. (Mont Vernon, 1964)  
Regis Manor, Inc. (North Conway, 1965)  
Reports, Inc. (Manchester, 1964)  
Reu-Ben Associates, Inc. (Manchester, 1960)  
Reverse Cycle, Inc. (formerly Reverse Cycle Leasing, Inc., Mont Vernon, 1964)  
Review Publishing Company, Inc. (Rochester, 1963)  
Rex Theatre Corporation (Manchester, 1954)  
Reynolds Electronics Company, Inc. (Sanbornton, 1959)  
Ric-Ar, Inc. (Gorham, 1965)  
Rice, Richard, Inc. (Hampton, 1960)  
Richmond Oil Co., Inc. (Manchester, 1960)  
Rich-Wal Farms, Inc. (Westmoreland, 1965)  
Rigidwall Corporation (Rochester, 1962)  
Riverside Realty Corp. (Nashua, 1963)  
Roberge Trucking, Inc. (Berlin, 1964)  
Roberts Drug Store, Inc. (formerly Roberts Handy Package Drug Store, Concord, 1930)  
Rochester Tool & Equipment, Inc. (Rochester, 1965)  
Rockingham Motor Sales, Inc. (Salem, 1965)  
Rogers Co., Inc. (formerly Andrea's Inc., Manchester, 1947)



Roger's of Hampton, Inc. (formerly Hampton Department Store, Inc., Hampton, 1957)

Rosehaven Nursing Home, Inc. (formerly Garrison Hill Nursing Home, Inc., Dover, 1959)

Rowe, P. T., Cleaners, Inc. (Hudson, 1964)

Roy, J. Paul Incorporated (Rochester, 1961)

Roy Shoes, Inc. (Milford, 1957)

Royal Electronics Corp. (Concord, 1965)

Ruggles Fuel Co., Inc. (Littleton, 1963)

Russell's, Inc. (formerly Howard Muir Co. Inc., Conway, 1945)

S C K Enterprises, Inc. (Newmarket, 1963)

S. & I. Army and Navy Store of Manchester, Inc. (Manchester, 1949)

S & J Investment Corporation (Hampton, 1964)

S.K.K., Inc. (Dover, 1962)

Safe Flight, Inc. (New London, 1964)

Safe Leash Company, Inc. (Sunapee, 1959)

Safety Vest Co., Inc. (Manchester, 1961)

Salem Construction, Inc. (Salem, 1964)

San 'N Sno Motor Lodge, Inc. (Chesterfield, 1964)

Sanborn-McDuffee, Co., Inc. (Rochester, 1948)

Sandia Portsmouth Bowling Corporation (Portsmouth, 1961)

Sandy Beach, Inc. (Manchester, 1958)

Sani-Care Building Service of N. H., Inc. (Manchester, 1963)

San-I-Jet Corporation (Manchester, 1961)

Sargent Motors, Inc. (formerly International Sales, Inc., Keene, 1936)

Satter's, Inc. (Manchester, 1945)

Saveon Sales, Inc. (Wolfeboro, 1962)

Sawabini & Houri, Inc. (North Hampton, 1960)

Sawicki Bros. Realty, Inc. (Franklin, 1955)

Sawyer Associates, Inc. (Lyndonville, Vt., 1965)

Scenic Restaurant, Inc. (Nashua, 1965)

Scenic State Auto Sales Co. Inc. (Troy, 1965)

Schelk, Inc. (Derry, 1965)

Schmitz, Edward A., Inc. (Mont Vernon, 1959)

Seaboard Contracting & Dredging Company, Inc. (Moultonboro, 1960)

Seacoast Beverage, Inc. (Rollinsford, 1961)

Seacoast Refrigeration Company, Inc. (Portsmouth, 1963)

Seacoast Tractor & Equipment Corporation (Raymond, 1955)

Seacrest Home & Garden Center, Inc. (Portsmouth, 1961)

Seavey Hardware Co., Inc. (Dover, 1946)

Senna, C. T., Realty, Inc. (Moultonboro, 1946)

Seventy Stark Street, Inc. (Manchester, 1964)

750 Exeter Building Corporation (Hampton, 1963)

- Shamrock Industries, Inc. (formerly O'Brien Real Estate and Development Corporation, Concord, 1963)  
Sheffield Realty, Inc. (Salem, 1964)  
Shelton Motor Corporation (Portsmouth, 1953)  
Sherwood Motor Hotel, Inc. (Dover, 1959)  
Shurtleff Well Drilling Service, Inc. (Errol, 1963)  
Simoneau Coal & Oil, Inc. (Nashua, 1948)  
Sirwa Corp. (Greenville, 1965)  
Six Acres Inn, Inc. (Manchester, 1965)  
Sixty-Two Stark Street, Inc. (Manchester, 1954)  
Skinner, Harry A., and Son, Inc. (Keene, 1948)  
Skip, Inc. (Colebrook, 1963)  
Smith, Harvey, Inc. (Hampton, 1964)  
Sno-White Launderette, Inc. (Nashua, 1961)  
Somerville Knitting Company, Inc. (Merrimack, 1962)  
South Street Garage, Inc. (Milford, 1965)  
Spacetown Motel, Inc. (Londonderry, 1961)  
Spectron, Inc. (Nashua, 1963)  
Sprague Nursing Homes, Inc. (Dover, 1965)  
Spruce Diner, Inc. (Dover, 1964)  
Staats-Anderson, Inc. (Rindge, 1964)  
Stampmaster of New England Co., Inc. (Nashua, 1961)  
Stan-Dan, Inc. (Milford, 1960)  
Starkey, R. M., Inc. (Surry, 1963)  
Story Drug Store, Inc. (Laconia, 1948)  
Strafford Dairy, Inc. (formerly Strafford Farms Dairy Inc., Dover, 1938)  
Strafford Development Corporation (Littleton, 1963)  
Strafford Farms Dairy, Inc. (Portsmouth, 1963)  
Strand Theatre, Inc. (Berlin, 1962)  
Strawberry Hill Hotel, Inc. (Bethlehem, 1959)  
Suburban Tie of New Hampshire, Inc. (Manchester, 1962)  
Sugar and Spice, Inc. (Milford, 1961)  
Sunny Acres Trailer Park, Inc. (Nashua, 1960)  
Superior Petroleum Products, Inc. (Keene, 1954)  
Surgical Apparel Corporation (New Durham, 1959)  
Surplus Store of Berlin, Inc. (Berlin, 1948)  
Susy Saver Food Shops, Inc. (Portsmouth, 1965)  
Sylmetz Pharmacal Co., Inc. (Manchester, 1963)  
T. B. & J. Service Bureau, Inc. (Manchester, 1965)  
Taldoux Corporation (Newmarket, 1963)  
Tam Realty, Inc. (Nashua, 1963)  
Tamposi-Nash Towers, Inc. (formerly Tamposi Towers, Inc., Nashua, 1965)  
Tardy's Motor Lodge, Inc. (Marlboro, 1963)

- Taylor, A., Corporation (Concord, 1952)  
Taylor and Sanford, Inc. (Merrimack, 1962)  
Tectronics Corporation (Laconia, 1953)  
Tedot, Corp. (Nashua, 1962)  
Tee Vee Cable Co., Inc. (Jaffrey, 1958)  
William Tell, Inc. (formerly William Tell Screw Machine Products, Inc., Winchester, 1960)  
Test Equipment Engineering Corporation (Pelham, 1962)  
Thayer-Nashua, Inc. (formerly Teltronics, Inc., Nashua, 1959)  
Thirteen Mitchell Lane, Inc. (Hanover, 1964)  
Thurston, W. J., Agency, Inc. (North Conway, 1961)  
Tilden, Freeman Advertising, Inc. (Nashua, 1964)  
Timber Construction Co., Inc. (Madbury, 1961)  
Timber Lake Manufacturing Corporation (Alton, 1951)  
Tobey Lumber Company, Inc. (Plymouth, 1933)  
Tool Co. of Nashua, Inc. (Nashua, 1964)  
Tortuguero Transportation Corporation (Guild, 1965)  
Town and Country Builders, Inc. (Hampton, 1959)  
Towne Hill, Inc. (Rindge, 1962)  
Trade Winds Restaurant Inc. (Keene, 1959)  
Trampoline Centers, Inc. (Gilford, 1960)  
Trans-New England Airlines, Inc. (Manchester, 1963)  
Tremont Square Realty Corporation (Claremont, 1965)  
Tri-City Machine & Welding Inc. (Rochester, 1963)  
Triangle Construction Company, Inc. (formerly Homesite, Inc., Dover, 1964)  
Triangle Investment Corporation (Goffstown, 1965)  
Truck Center Co., Inc. (Manchester, 1959)  
Twenty-Eight (28) Realty Corporation (Derry, 1962)  
Twin State Publishing Co. (Woodsville, 1940)  
Twin State Theatres, Inc. (Claremont, 1962)  
Twin State Ticket Agency, Inc. (Keene, 1964)  
Union Compounding and Chemical Corporation (Peterborough, 1965)  
United Distributors of Dover, Inc. (Concord, 1961)  
U.S. Airways Ltd., Inc. (Auburn, 1965)  
United States Sales Corporation, Inc. (Concord, 1957)  
Upton Street Garage, Inc. (Manchester, 1964)  
V. & G. Realty, Inc. (Lisbon, 1958)  
Vadco Realty Corporation (Melvin Village, 1965)  
Veterans of World War I 1966 Convention Corporation (The) (Nashua, 1966)  
Village Coin Shop, Inc. (Plaistow, 1964)  
Vintage Cars Corporation, The (Warner, 1965)  
Vipco Corporation, The (Penacook, 1965)

- Virgil's Restaurant, Inc. (Candia, 1965)  
Visioneering, Inc. (Keene, 1964)  
Vulcatron Corporation, The (Farmington, 1960)  
W. E. S., Inc. (formerly Merrimack Oil Co., Inc., Concord, 1951)  
W & T Enterprises, Inc. (Milford, 1964)  
Warren's Supermarkets, Inc. (Hampton, 1957)  
Wasmacco Ice Cream Corp. (Atkinson, 1959)  
Waterhouse Realty Corporation (Raymond, 1962)  
Waterville Valley Development Corporation (Waterville, 1964)  
Wendells Hardware, Inc. (Portsmouth, 1956)  
Wentworth Associates, Inc. (Dover, 1960)  
Wentworth Pontiac-Buick, Inc. (formerly Frank F. Wentworth & Sons, Inc., formerly Frank F. Wentworth & Son, Inc., Dover, 1958)  
White Mountain Sports Service, Inc. (Keene, 1964)  
White Pine Woodenware Corporation (Milford, 1964)  
Wiggin Farms, Inc. (Manchester, 1966)  
Willow Terrace, Inc. (Manchester, 1964)  
Winnepesaukee Homes, Inc. (Meredith, 1961)  
Witch Creek Realty, Inc. (Rye, 1964)  
Wolfeboro Laundry, Inc. (Wolfeboro, 1960)  
Wolfeboro Service Stations, Inc., The (Wolfeboro, 1938)  
Woodbury Inn, Inc. (Salem, 1963)  
Woodland Restaurant, Inc. (Lincoln, 1960)  
Woodlawn Builders, Inc. (North Hampton, 1963)  
Woody's Automotive Supply, Inc. (Salem, 1964)  
D. S. Wright, Inc. (Hollis, 1964)  
Yankee Flyer, Inc. (Nashua, 1957)  
Ye Cocke and Kettle, Inc. (formerly DAB Enterprises, Inc., Seabrook, 1962)  
H. E. Youngman & Son, Inc. (Hampton, 1954)  
Zack Brock and Son, Incorporated (Bridgewater, 1961)

The principal place of business and date and year of incorporation, when given in the above list, are included for the purpose of distinguishing corporations of the same or similar names.

**335:2 Remedies Preserved.** No remedy against any such corporation, its stockholders or officers, for any liability previously incurred, shall be impaired hereby.

**335:3 Reinstatement.** Any such corporation may, within ninety days after this act takes effect, reinstate itself as a corporation by the payment of any fees in arrears and the filing with the secretary of state of any annual returns required by law and a statement under oath, signed by the clerk or secretary of such corporation, that it desires that its charter or certificate of incorporation shall remain in full force and effect.

**335:4 Disposition of Property.** Any corporation whose charter is hereby repealed, revoked and annulled, shall, nevertheless, continue as a body corporate for the term of three years from the date this act takes effect, for the purpose of presenting and defending suits by or against it and of gradually closing and settling its concerns and distributing its assets, including the disposition and transfer of all or any part of the property and for no other purpose; provided that for the purpose of any suit or action by or against any such corporation, pending at the end of said term of three years, such corporation shall continue as a body corporate until ninety days after final judgment or decree in such suit or action; and provided further that the superior court shall have power at any time when it shall be made to appear, upon the petition of any interested party, that the protection of proprietary or other rights requires the doing of any act or thing by or in behalf of any such corporation, to order the doing of such acts or things, and for this purpose may appoint and authorize an agent to act for and in the name of such corporation and any action so ordered and done shall be effective corporate action.

**335:5 Change in Effective Date.** Amend the act enacted by the 1967 General Court to tax the transfer of real property by striking out section 2 and inserting in place thereof the following: **2 Effective Date.** RSA 78-B:8 as inserted by this act shall take effect July 1, 1967; all other sections of RSA 78-B shall take effect on January 2, 1968.

**335:6 Effective Date.** This act shall take effect upon its passage.  
[Approved July 3, 1967.]  
[Effective date July 3, 1967.]

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## CHAPTER 336.

AN ACT RELATIVE TO PARTICIPATION IN THE NEW HAMPSHIRE RETIREMENT  
SYSTEM BY EMPLOYEES OF CERTAIN SPECIALIZED SCHOOLS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**336:1 New Hampshire Retirement System.** Amend RSA 100-A (supp) as inserted by 1967, 134:1 by inserting after section 28 the following new subdivision:

### **Employees of Certain Specialized Schools**

**100-A:29 Participation Authorized.** The Great Bay Association for Retarded Children, owners and operators of the Great Bay School and Training Center in Newington, and the Rockingham School for Special Children in Exeter may, by resolution legally adopted, in form approved by the board of trustees of the New Hampshire retirement system, elect to have their officers, teachers and employees become eligible to partici-

pate in the New Hampshire retirement system. After such election, said association and said school shall be known as employers for the purposes of this chapter. The board of trustees of the New Hampshire retirement system shall set a date when the participation of officers, teachers and employees of said association and said school shall become effective, and then such officers, teachers and employees may become Group I members of the New Hampshire retirement system and participate therein.

**100-A:30 — Membership Requirements.** Membership in the New Hampshire retirement system shall be optional for the officers, teachers and employees of said association and said school who are in its service on the date when participation becomes effective and any such officer, teacher or employee who elects to join such system shall be entitled to a prior service certificate covering such periods of previous service rendered to such association or school or to the state for which the association or the school is willing to make accrued liability contributions. Membership shall be compulsory for all employees entering the service of such association or school after the date when participation becomes effective.

**100-A:31 — Reports.** The chief fiscal officer of the Great Bay Association for Retarded Children and the chief fiscal officer of the Rockingham School for Special Children shall submit to the board of trustees such information and shall cause to be performed, with respect to the employees of such association and such school who are members of said retirement system, such duties as shall be prescribed by the board of trustees in order to carry out the provisions hereof.

**336:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 337.

### AN ACT RELATIVE TO FIREMEN'S RETIREMENT SYSTEM.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**337:1 Firemen's Retirement System.** Amend the first sentence of RSA 102:16 by striking out the same and inserting in place thereof the following: Until the first payment on account of a retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable on his account under section 15, into a retirement allowance of equivalent actuarial value under one of the optional forms named below; provided, however, that no election of an optional benefit shall become effective until sixty days after the date

of filing of the election thereof with the retirement board, and if the member dies before such election becomes effective the optional benefits elected shall become effective as of the date of death of the member.

**337:2 Benefits.** Amend RSA 102:17 as amended by 1957, 15:4 and 1963, 245:2 by striking out said section and inserting in place thereof the following: **102:17 In Case of Death or Disability.** A permanent fireman accepting the provisions of this chapter, who shall have become permanently disabled from fire duty, because of injury received in line of duty, shall receive an annual sum equal to two-thirds his annual salary as defined in section 15, and in case of call, volunteer, or substitute firemen, who become permanently and totally disabled because of injury received in line of fire duty, an annual sum not to exceed one thousand two hundred fifty dollars per year. Firemen shall be acknowledged as performing their duty while actually covering a tour of duty within the station assigned, going to, returning from or working at a fire or other public emergency; when performing all work within the scope of employment of the firemen under the expressed or implied authority of a superior officer; and in such other cases as the board may from time to time decide to be for the public interest. The fact of permanent disability may be established by the certificate of physician designated by the board. In case a fireman accepting the provisions hereof shall die as the result of injury received in line of duty, his widow or if none, his minor child or children shall receive an annual sum equal to the compensation allowed for disability for either permanent or call fireman, as the case may be, until in case of a widow, she dies or remarries, or, in case of a minor child or children, the board in its discretion shall pay such sum as a joint and survivor annuity, until such child dies or attains the age of eighteen years, and in case there is no wife, child or children under age eighteen surviving such member, then to his totally dependent father or mother, or both, and the survivor of either one of them, as the board in its discretion shall determine, during dependency, and until remarriage of either. In case a retired member, whose retirement was the result of disability received in line of duty dies while on retirement from the result of injuries received in line of duty, the payment of his retirement benefits shall continue to his widow until she dies or remarries, or children until they reach the age of eighteen years.

**337:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

**CHAPTER 338.**

AN ACT PROVIDING A UNIFORM POLICE INVESTIGATION REPORT OF ACCIDENT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**338:1 Accident Reports.** Amend RSA 262-A by inserting after section 67 as amended by 1957, 144:1, 1963, 330:1 and 1965, 207:4 the following new sections:

**262-A:67-a Uniform Police Investigation Report of Accident.**

I. The commissioner of safety shall prescribe for each police department and officer and other suitable agencies or individuals a uniform police investigation report of accident, in such form as the commissioner shall determine, which form shall be followed in filing all such reports.

II. In each reportable motor vehicle accident in which any person is killed or injured or in which damage to the property of any one individual, including the operator, is sustained, the police officer, agency or individual who, in the regular course of duty, investigates such accident, either at the time of or at the scene of the accident or thereafter, by interviewing the participants or witnesses, shall, within five days after completing such investigation, complete and forward one copy of such report to the director of motor vehicles. Such report shall call for and contain all available detailed information to disclose the cause of the accident, the conditions then existing and the persons and vehicles involved, as well as the enforcement action taken.

**262-A:67-b Statistical Information Based on Reports.** The director of motor vehicles shall tabulate and analyze all such accident reports and shall publish annually, or at more frequent intervals, statistical information based thereon. Commensurate with the demand for service and the ability to comply, he shall render statistical information service to all contributing agencies.

**338:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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**CHAPTER 339.**

AN ACT AUTHORIZING SPECIAL NUMBER PLATES FOR LICENSED CLASS D RADIO OPERATORS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**339:1 Special Number Plates; Fees for Driver Training.** Amend



RSA 260 by inserting after section 11-a as inserted by 1959, 226:1 the following new section: **260:11-b Number Plates for Citizens Band Operators.** The director is hereby authorized to design and to issue special plates to be used on passenger motor vehicles registered to holders of Federal Communications Commission class D licenses, otherwise referred to as citizens band radio operators, in lieu of other number plates. The design of these special plates shall consist of three letters in a verticle arrangement on the left side of said plates followed by four numbers in a horizontal arrangement and said letters and numbers shall correspond to the call letters of each licensed citizens band operator applying therefor. The number plates authorized by this section shall be issued only upon application therefor and upon payment of a service fee of five dollars, said service fee to be in addition to the regular motor vehicle registration fee as prescribed by law for the particular vehicle. The balance of the service fees collected under this section, after costs of plates and issuance of same have been appropriated and deducted, shall, subject to budgetary requirements of RSA 9, be added to the fund established by RSA 262:1-a.

**339:2 Effective Date.** This act shall take effect upon its passage, except that the director shall not issue any plates under the authority of this section for the 1967 registration period.

[Approved July 3, 1967.]

[Effective date limited.]

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## CHAPTER 340.

AN ACT TO PROVIDE FOR A DISINTERESTED APPRAISAL WHEN COOPERATIVE  
SCHOOL DISTRICT TAKES OVER PROPERTY OF PRE-EXISTING  
SCHOOL DISTRICTS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**340:1 Cooperative School Districts.** Amend RSA 195:9 as amended by 1955, 334:11 and 1963, 258:8 by striking out the section and inserting in its place the following:

**195:9 Taking Over Property.**

I. Whenever a cooperative school district planning board is formed and it is proposed that a cooperative school district is to be established, the properties belonging to the districts that are to be used by the cooperative district shall be separately appraised by a committee to consist of three persons. The commissioner of education shall designate one person on the committee, and the tax commission shall designate two persons, one of whom shall be a member of or a qualified appraiser em-

ployed by the tax commission. A member who is not in the employ of the state shall be paid twenty-five dollars per day plus his actual expenses in the performance of his duties. A member who is in the employ of the state shall not be paid extra compensation other than his state salary, but shall be reimbursed for his actual expenses in the performance of his duties.

II. All expenses incurred in conducting an appraisal by the persons designated by the tax commission, including the salaries and expenses of state employees, shall be paid in the first instance from the appropriation for the tax commission. Likewise, the salary and expenses incurred by the person designated by the commissioner of education, including the salaries and expenses of state employees, shall be paid in the first instance from the appropriation for the department of education. The tax commission and the commissioner of education shall report the amount of money paid by them for the appraisal to the cooperative school district planning board. The planning board shall reimburse the tax commission and the department of education for these expenses. If the planning board does not have sufficient funds to make reimbursement, it shall apportion the expenses among the several districts requesting the appraisal. The reimbursements shall be credited to the appropriations for the tax commission and the department of education.

III. The decision of the committee with respect to the appraisal shall be final. Unless otherwise provided in the articles of agreement, at the next annual assessment a tax equivalent to the total appraised value of the property to be used by the cooperative district shall be levied upon the several districts comprising the cooperative school district in the proportion that the equalized valuation of each bears to the equalized valuation of the whole and there shall be remitted to the taxpayers of each pre-existing district the appraised value of its property. Whenever the cooperative school board decides the foregoing adjustment will work a hardship on any one or all of the pre-existing districts, it may, of its own motion, or upon petition of any of the residents of a pre-existing district provide that such adjustment be made over a period of not exceeding twenty years.

**340:2 Effective Date.** This act shall take effect upon its passage.

[Approved July 3, 1967.]

[Effective date July 3, 1967.]

**CHAPTER 341.**

AN ACT RELATIVE TO LICENSES TO OPERATE MOTOR VEHICLES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**341:1 Definitions Added.** Amend RSA 259:1 as amended by 1957, 283:1, 1959, 207:1, 1963, 273:1, 330:3 and 1965, 274:1 by inserting after paragraph XVI the following new paragraph:

XVI-a. "Light truck", any motor truck having no more than two axles.

XVI-b. "Heavy truck", any motor truck having more than two axles.

XVI-c. "Tractor-trailer", any truck-tractor or semi-trailer; and by inserting after paragraph XXVIII as amended by 1959, 207:1 the following new paragraph:

XXVIII-a. "Truck-tractor", any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

**341:2 Motor Truck.** Amend paragraph XVI of RSA 259:1 by inserting in line one after the word "one" the words (and one-half) so that the paragraph as amended shall read as follows: XVI. "Motor truck", any motor vehicle of greater than one and one-half ton capacity intended, designed or constructed for the transportation of freight or merchandise, or any motor vehicle equipped with other than pneumatic tires.

**341:3 Operation of Motorcycle.** Amend RSA 261:11 by striking out said section and inserting in place thereof the following: **261:11 Operating Motorcycle.** No person to whom an operator's or commercial operator's license has been issued, unless such license contains a special permission therefor, may operate any registered motorcycle.

**341:4 Specific Licensing Required.** Amend RSA 261:20 by striking out said section and inserting in place thereof the following: **261:20 Commercial Operator's License.** No person shall operate a bus, light truck, heavy truck or tractor-trailer, as defined in RSA 259:1, unless specifically licensed therefor as a commercial operator by the director, except as hereinafter provided. A license to operate a tractor-trailer shall authorize the operation of any motor vehicle registered in this state other than a school bus or a motorcycle; a license to operate a heavy truck shall authorize the operation of any motor vehicle registered in this state other than a tractor-trailer, school bus or motorcycle; a license to operate a light truck shall authorize the operation of any motor vehicle registered in this state other than a tractor-trailer, heavy truck, school bus or motor-

cycle. The provisions of this section shall not apply to the operation of a motor truck bearing agricultural or farm registration.

**341:5 Limitation on Issue.** Amend RSA 261:21 by striking out said section and inserting in place thereof the following: **261:21 — Limitation.** Commercial operators' licenses limited as specifically provided in section 20 of this chapter shall be issued to any person who has passed a commercial operator's examination therefor; but no such license shall be issued to any person less than eighteen years of age.

**341:6 Commercial Operator's License Required.** Amend RSA 261:22 by striking out said section and inserting in place thereof the following: **261:22 Employing Commercial Operator.** No person in control of a bus, heavy truck, light truck or tractor-trailer shall allow any other person to operate such bus, truck or tractor-trailer unless such operator holds the appropriate commercial operator's license therefor.

**341:7 Special Provisions.** Amend RSA 261 by inserting after section 21 the following new section: **261:21-a Extension of Present Licenses.** Notwithstanding any other provisions of law or of this act to the contrary, any person holding a valid commercial operator's license on the effective date of this act may operate under the authority of said license either a light truck, a heavy truck, or a tractor-trailer until the first renewal date of said license, unless sooner suspended or revoked. On said renewal date, the holder of such a commercial operator's license shall designate the type of commercial operator's license, as defined in RSA 261:20, for which he is applying and such license shall be issued to him at his request and without examination. On all subsequent renewal dates, the applicant shall be issued, without examination, the same type of commercial operator's license which he designated in his original renewal application.

**341:8 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 342.

AN ACT TO REQUIRE THAT PARKED CARS BE PARKED WITH THEIR RIGHT WHEELS AT THE RIGHT SIDE OF THE TRAVELED PORTION OF THE HIGHWAY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**342:1 Manner of Parking Where no curbs Exist.** Amend RSA 262-A:72 as inserted by 1963, 330:1 by striking out paragraph I and inserting

in place thereof the following: I. Except as otherwise provided in this section every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of such vehicle parallel to the right-hand curb, or if upon a roadway where there are no curbs said vehicle shall be so stopped or parked with the right-hand wheels of such vehicle parallel to the right-hand side of the traveled portion of the highway.

**342:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 343.

### AN ACT TO PROVIDE FOR A THREE, FIVE, SEVEN OR NINE MEMBER SCHOOL BOARD.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**343:1 Size of School Board.** Amend RSA 197:15 as amended by 1961, 45:1 by striking out the section and inserting in place thereof the following: **197:15 School Board.** While any district maintains a high school, it may have a school board consisting of three, five, seven or nine members, as it determines by vote or by law adopted at any annual meeting. If the district determines to change the number of board members, it shall also determine the number of members to be elected each year beginning with that year so that the board will increase or decrease in membership so that there will always be an uneven number of members until the desired number is reached. Whenever a district ceases to maintain a high school, it shall thereafter elect only one member to the school board each year to fill the vacancies occurring from expiration of term of service, so that the board will decrease in numbers, year by year, until it is composed of three members.

**343:2 School Board Terms.** Amend RSA 197:18 by striking out the section and inserting in place thereof the following: **197:18 Term.** The members of the school board shall be chosen each year to hold office for three years and until their successors are chosen and qualified. Vacancies in the board shall be filled each year in the required number so as to preserve this succession in office. All other officers shall be chosen annually, and shall hold office for one year and until their successors are chosen and qualified. The treasurer shall take office at the close of the fiscal year for the district.

**343:3 Transitional Provisions.** Every school district organized with

a six member school board on July 1, 1967, at the next annual meeting of the district held after that date, shall determine the number of members that it desires on its school board to conform to RSA 197:15. At the same meeting, it shall also determine the number of members to be elected each year beginning with the next annual meeting of the district so that the board will increase or decrease in membership so that there will always be an uneven number of members until the desired number is reached.

**343:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 344.

### AN ACT RELATIVE TO ACTIONS FOR WRONGFUL DEATH.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**344:1 Damages for Wrongful Death.** Amend RSA 556:13 (supp) as amended by 1957, 91:1 and 1963, 98:1 by striking out said section and inserting in place thereof the following: **556:13 Limitation of Recovery.** In cases where the plaintiff's decedent has left neither a widow, widower, or minor children or a dependent father or mother, the damages recoverable in any such action shall not exceed twenty thousand dollars. In all other cases the damages recoverable in any such action shall not exceed sixty thousand dollars; provided, however, that in the trial of any such action by jury, the jury shall not be informed of the limitation of recovery imposed by this section, and if the jury awards damages in excess of such limitation the court shall reduce the amount of damages awarded to conform to such limitation.

**344:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 345.

### AN ACT TO ABOLISH THE MILK CONTROL BOARD AND TO EXPAND THE DUTIES OF THE COMMISSIONER OF AGRICULTURE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**345:1 Commissioner of Agriculture.** Amend RSA 426 by inserting after section 17 the following new section:

**426:18 Interstate Conferences and Compacts.** The commissioner shall have power to enter into compacts, subject to congressional approval, with legally constituted milk commissions or similar authorities of other states or of the United States of America to effect a uniformity in regulating and insuring an adequate supply of pure and wholesome milk to the inhabitants of this state, to provide uniform control of milk produced in this state and handled in interstate commerce and to exercise all the powers hereunder for such purpose as well as the following powers:

I. To conduct joint investigations and hearings and to issue joint or concurrent orders.

II. To employ or designate a joint agent or agencies to enforce such orders or compacts.

III. To provide for classifications of milk in accordance with the form in which it is used or moved with uniform minimum prices or methods of fixing such prices for each class.

IV. To provide for payment to all producers and associations of producers delivering milk to dealers of uniform prices, subject to adjustments with the joint agent for location and butterfat content.

V. To make such joint regulations as may be incidental to the foregoing and not inconsistent thereto and as may be necessary to effectuate the above mentioned powers.

VI. The commissioner shall not enter into any compact which would provide for the fixing of prices on the sale or resale of milk unless he shall have obtained prior approval of the governor and council.

**345:2 Repeal.** Effective January 1, 1969, RSA 183, relating to milk control, is hereby repealed.

**345:3 Milk Control Fund.** Amend RSA 6:12 (supp) as amended by 1965, 239:14 by striking out in lines fifteen through seventeen the words "moneys received by the division of milk control in the department of agriculture, which shall be credited to the milk control fund" so that said section as amended shall read as follows: **6:12 Application of Receipts.** Moneys received by the state treasurer, as provided in the preceding section, shall be available for general revenue of the state with the following exceptions: Moneys received by the state sweepstakes commission which shall be credited to the sweepstakes special fund; moneys received by the fish and game department, which shall be credited to the fish and game fund; fees and fines from the motor vehicle department, which, after deducting the amount allowed by the legislature for maintaining said department and one hundred and fifty thousand dollars annually for maintaining in part the department of state police, shall be credited to the highway department for maintenance of highways; fines and costs

from the department of state police which shall be credited to the highway department for maintenance of highways; revenues from fees, rentals and the sale of products from lands under the jurisdiction of the forestry and recreation commission which shall be credited as provided for in RSA chapter 219; all moneys, fees and fines and sales included within the weights and measures fund established by RSA 359:22, and the fees collected by the public utilities commission of railroads and public utilities for money paid out by the commission to experts and assistants not in its regular employ, which fees shall be appropriated to reimburse the state for money so paid out. The full amount allowed for the maintenance of each institution and department shall be appropriated by each legislature for the biennial period next following, and the money derived from the sale of farm and minor industrial products of institutions shall be credited to the appropriation for the institution from which derived.

**345:4 Lapse of Milk Control Fund.** On January 1, 1969, the milk control fund and all funds appropriated for the purposes of RSA 183 shall lapse and become available for the general purposes of the state.

**345:5 Membership of Milk Sanitation Board.** Amend RSA 184:80 as inserted by 1963, 289:1 by striking out in lines four and five the words "the chairman of the milk control board" so that said section, as amended, shall read as follows: **184:80 Milk Sanitation Board Established.** There is hereby created an advisory board to be known as the milk sanitation board which shall consist of the following members: the commissioner of agriculture, the director of the division of public health, the dean of the college of agriculture at the University of New Hampshire or a member of his teaching staff to be designated by him, and four members-at-large. The four members-at-large shall consist of an individual who holds a milk plant license, an individual who holds a valid producer permit, a health officer of a town or city, a representative of the public whose interest and knowledge of the dairy industry is qualified to represent the public in connection with matters involved with this subdivision. The members-at-large shall be residents of the state and shall be appointed by the governor with the consent of the council and each shall hold office for a term of six years and until his successor shall be appointed and qualified; provided, that the original appointments shall be one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of six years. The members-at-large shall receive no compensation for their services but shall receive necessary travel and other expenses while engaged in actual work of the board. The chief of the bureau of food and chemistry of the division of public health services shall act as technical secretary without voting power.

**345:6 Repeal of Licenses and Fees.** RSA 183:9 and RSA 183:11 relating to licensing and payment of fees is hereby repealed.



**345:7 Prorating of Fees.** The amount of any fees which become due under RSA 183:9 and RSA 183:11 either before or after the passage of this act and before the effective date of section 6 of this act and which are not paid, shall be prorated so that the fees paid shall be in the same ratio to the whole fee due as the number of days remaining in the license period bears to three hundred and sixty.

**345:8 Appropriation.** The sum of one thousand two hundred dollars is hereby appropriated to be spent by the division of milk control for personal services during the month of July, 1967. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

**345:9 Effective Dates.** Sections 1 and 6 of the bill shall become effective sixty days after passage. Sections 2, 3, 4, and 5 of the bill shall become effective January 1, 1969.

[Approved July 3, 1967.]

[Effective date: Sections 1, 6, 7, 8 effective September 1, 1967;

Sections 2, 3, 4, 5 effective January 1, 1969.]

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## CHAPTER 346.

AN ACT RELATIVE TO CRIMINAL LIABILITY FOR CONDUCT OF ANOTHER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**346:1 New Chapter.** Amend RSA by inserting after chapter 590 the following new chapter:

### Chapter 590-A

#### Criminal Liability for Conduct of Another; Complicity

**590-A:1 Offense Committed by Another.** A person is guilty of an offense if it is committed by his own conduct or by the conduct of another person for which he is legally accountable, or both.

**590-A:2 Accountability for Another.** A person is legally accountable for the conduct of another person when:

I. acting with the kind of culpability that is sufficient for the commission of the offense, he causes an innocent or irresponsible person to engage in such conduct; or

II. he is made accountable for the conduct of such other person by the law defining the offense; or

III. he is an accomplice of such other person in the commission of the offense.

**590-A:3 Accomplice.** A person is an accomplice of another person in the commission of an offense if:

I. with the purpose of promoting or facilitating the commission of the offense, he solicits such other person to commit; or aids or agrees or attempts to aid such other person in planning or committing it; or

II. his conduct is expressly declared by law to establish his complicity.

**590-A:4 Culpability.** When causing a particular result is an element of an offense, an accomplice in the conduct causing such result is an accomplice in the commission of that offense, if he acts with the kind of culpability, if any, with respect to that result that is sufficient for the commission of the offense.

**590-A:5 Legally Accountable Liability.** A person who is legally incapable of committing a particular offense himself may be guilty thereof if it is committed by the conduct of another person for which he is legally accountable, unless such liability is inconsistent with the purpose of the provision establishing his incapacity.

**590-A:6 Non-liability.** Unless otherwise provided, a person is not an accomplice in an offense committed by another person if (a) he is the victim of that offense; (b) the offense is so defined that his conduct is inevitably incident to its commission; or (c) he terminates his complicity prior to the commission of the offense and wholly deprives it of effectiveness in the commission of the offense or gives timely warning to the law enforcement authorities or otherwise makes proper effort to prevent the commission of the offense.

**590-A:7 Conviction.** An accomplice may be convicted on proof of the commission of the offense and of his complicity therein, though the person claimed to have committed the offense has not been prosecuted or convicted or has been convicted of a different offense or degree of offense or has an immunity to prosecution or conviction or has been acquitted.

**590-A:8 Accessory after the Fact.** A person commits an offense if, with purpose to hinder the apprehension, prosecution, conviction or punishment of another for crime, he (a) harbors or conceals the other; or (b) provides or aids in providing a weapon, transportation, disguise or other means of avoiding apprehension or effecting escape; or (c) conceals or destroys evidence of the crime, or tampers with a witness, informant, document or other source of information, regardless of its admissibility in evidence; or (d) warns the other of impending discovery or apprehension, except that this paragraph does not apply to a warning given in connection with an effort to bring another into compliance with law; or (e) volunteers false information to a law enforcement of-

ficer. The punishment for being an accessory after the fact shall be a fine of not more than one thousand dollars or imprisonment for not more than five years, or both.

**590-A:9 Crime in Other State.** Whenever a felony has been committed in any other state, and any person in this state shall have been accessory thereto, either before or after the fact, such accessory shall be tried and punished in the same manner as if the felony had been committed in this state.

**590-A:10 Accessory out of State.** Whenever a crime shall have been committed in this state, and any person without the state shall have been accessory thereto before the fact, such accessory may be tried and punished in the county where the crime was committed, in the same manner as if the acts done by him had been done in this state.

**346:2 Title Changed.** Amend the title of RSA 590 by striking out the same and inserting in place thereof the following:

### Chapter 590

#### Attempts

**346:3 Repeal.** The following sections are hereby repealed: RSA 590:1, relative to accessories before the fact; RSA 590:2, relative to accessories after the fact; RSA 590:3, relative to venue of prosecution; RSA 590:4, relative to crime in other state; and RSA 590:8, relative to accessory out of state.

**346:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 347.

AN ACT TO CREATE AN INTERSTATE COMMISSION TO PLAN FOR PURIFICATION  
OF NASHUA RIVER, IN CONJUNCTION WITH MASSACHUSETTS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**347:1 Commission Created.** A four man commission known as the Nashua River Pollution Control Commission is created, selected as follows: (a) The executive director of the water supply and pollution control commission shall be one member; (b) The president of the senate shall appoint one member from the senate; (c) The speaker of the house of representatives shall appoint one member from the house of representatives; and the (d) governor shall appoint one member. The com-

mission shall elect one of its members as chairman and one of its members as clerk.

**347:2 Study of Pollution of Nashua River.** The commission shall study the pollution of the Nashua River, and shall study methods to improve the purification of the river. It is authorized to discuss the pollution of the Nashua River and to work with any commission or state agency created by the commonwealth of Massachusetts that has jurisdiction over the problem of pollution of the Nashua River within the borders of the commonwealth. It may work independently of such a committee from Massachusetts, as well as in conjunction with it.

**347:3 Plans for Legislation.** The commission shall make plans for legislation designed to purify the water of Nashua River within this state. It shall work with its Massachusetts counterpart, or with any Massachusetts agency having jurisdiction over the Nashua River pollution problem, to make a joint plan for a compact designed to purify the water of the Nashua River within the boundaries of both states.

**347:4 Cooperation.** The state commission is authorized to discuss with and cooperate with the New England Interstate Water Pollution Commission joined by this state by Laws of 1951, chapter 190, on any aspect of the pollution problem relating to the Nashua River. The state commission is not created to duplicate or to preempt the work of the New England Interstate Commission on the Nashua River but it should work to intensify the planning work on the purification of the water of the Nashua River, through whatever means it is able.

**347:5 Secretary of State.** The secretary of state is directed to send a certified copy of this act to the governor of Massachusetts, the president of the senate of Massachusetts, the speaker of the house of representatives of Massachusetts, and to the director of the division of water pollution control of the department of natural resources of Massachusetts.

**347:6 Reimbursement for Expenses.** The members appointed from the legislature, and, if he is not entitled to travel expenses by virtue of his state employment, the member appointed by the governor are entitled to be reimbursed for the actual expenses they incurred while working on the business of the commission.

**347:7 Completion of Work.** The duties and powers of the commission shall end seven days before the first Wednesday of the year 1969, except that the chairman has the power to do any act after that date that is necessary to complete the work of the commission, including signing any documents necessary to pay the legitimate expenses incurred by the commission before it is dissolved. The commission shall make a report of its findings and recommendations to the general court by December 15, 1968. If any legislation is recommended, the commission shall submit to

the director of legislative services enough information by December 1, 1968, to enable the director to draft the legislation.

**347:8 Appropriation.** Two hundred fifty dollars is appropriated to provide funds for the purposes of this act. The appropriation shall remain available to pay expenses incurred by the commission until June 30, 1969 at which time the unencumbered balance lapses. The governor is authorized to draw his warrant for the money appropriated by this act out of any money in the treasury not otherwise appropriated.

**347:9 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 348.

AN ACT RELATING TO MOTOR VEHICLES CARRYING PROPERTY FOR HIRE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**348:1 New Chapter.** Amend RSA by inserting after chapter 375-A as inserted by 1963, 264:1 the following new chapter:

### Chapter 375-B

#### Motor Vehicles Carrying Property for Hire

**375-B:1 Declaration of Policy.** The business of operating motor vehicles transporting property for hire on the highways of this state affects the interests of the public. The rapid increase in the number of motor vehicles so operated, and the fact that they are not sufficiently regulated, have increased the dangers and hazards on public highways, and regulation of common carriers and contract carriers as hereinafter defined is necessary to the end that highways may be rendered safer for the use of the general public; that the use of the highways for the transportation of property for hire may be restricted to the extent required by the necessity and convenience of the shippers and receivers of freight, and that the various transportation agencies of the state may be correlated so that public highways may serve the best interest of the general public.

**375-B:2 Definition of Terms.** The following words and phrases as used herein shall have the following meanings, unless the context clearly requires otherwise:

I. "Commission" shall mean the public utilities commission.

II. "Person" shall mean any individual, firm, co-partnership, corporation, company, association or joint-stock association, and shall include

any trustee, administrator, executor, receiver, assignee, or other personal representative thereof.

III. "Motor carrier" shall mean a common carrier by motor vehicle whether regular or irregular route carrier and a contract carrier by motor vehicle.

IV. "Common carrier by motor vehicle" shall mean any person engaged in transportation by motor vehicle upon the public highways, including regular route and irregular route common carriers, transporting property between points in this state for compensation, who carries or holds himself by advertising or otherwise to carry the property of those choosing to employ him.

V. "Regular route common carrier by motor vehicle" shall mean any common carrier of property by motor vehicle who operates over regular routes between points within this state.

VI. "Irregular route common carrier by motor vehicle" shall mean any common carrier of property by motor vehicle who operates over irregular routes between points within this state.

VII. "Contract carrier by motor vehicle" shall mean any person engaged in the transportation of property for compensation, for a particular person or persons to or from a particular place between points in this state under separate agreement or agreements.

VIII. "Private carrier of property by motor vehicle" shall mean any person not included in the terms "common carrier by motor vehicle" or "contract carrier by motor vehicle", who or which transports in intrastate commerce by motor vehicle property of which such person is the owner, lessee, or bailee, when such transportation is for the purpose of sale, lease, rent, or bailment, or in furtherance of any commercial enterprise.

IX. "Certificate" shall mean a certificate of public convenience and necessity issued under the provisions of this act by the public utilities commission to a common carrier of property by motor vehicle.

X. "Interstate certificate" shall mean a certificate issued by the interstate commerce commission authorizing operations as a common carrier by motor vehicle.

XI. "Permit" shall mean a public interest permit issued under the provisions of this act by the public utilities commission to a contract carrier of property by motor vehicle.

XII. "Interstate permit" shall mean a permit issued by the interstate commerce commission authorizing operations as a contract carrier by motor vehicle.

XIII. "Highway" shall mean the roads, highways, streets and ways laid out for and used generally by the public as defined by RSA 230.

XIV. "Interstate operations" shall mean any operations in interstate commerce.

**375-B:3 Exemptions.** There shall be exempted from the provisions of this chapter:

I. Motor vehicles operating exclusively within the limits of a single city or incorporated town.

II. Motor vehicles owned by any branch of the government of the United States or by any state department, or by any county, city, town or village.

III. Motor vehicles engaged in the transportation of agricultural products, by-products or supplies and owned or operated by cooperative marketing associations organized under the provisions of RSA 301.

IV. Private carriers of property by motor vehicle.

V. Motor vehicles while engaged in the transportation of pulpwood, logs, bolts, poles, posts, Christmas trees and boughs, wood chips, wood edgings and slabs, sawdust and salt; and on return trips carrying supplies used in the operation of logging camps.

VI. Motor vehicles while engaged in the transportation of earth, gravel, and ledge and used on construction within the state.

**375-B:4 Common Carrier Certificate and Contract Carrier Permit Required.** No person shall engage in the business of operating as a common or contract carrier by motor vehicle of property, as defined in section 2, paragraphs IV, V, VI, and VII, unless he holds a certificate or permit issued by the commission authorizing such operations; provided, however, that if he, or his predecessor in interest, was engaged in bona fide operation as a common or contract carrier by motor vehicle of property, as provided by the definitions in section 2, paragraphs IV, V, VI, and VII, on December 1, 1966, over the route or routes or within the territory for which application is made and has so operated since that time, or if engaged in furnishing seasonal service only, was in bona fide operation on said date, during the season ordinarily covered by its operation, except in either instance as to interruptions of service over which applicant or his predecessor in interest had no control, the commission shall issue such certificate or permit without requiring further proof that the public convenience and necessity or the public interest will be served by such operation, and without further proceedings, if application for such certificate or permit is made to the commission as provided for by section 8 on or before December 1, 1967. Otherwise the application for such certificate or permit shall be decided in accordance with the procedure provided

for in section 5 or 7 and such certificate or permit shall be issued or denied accordingly. Pending action on any such application, the continuance of such operation shall be lawful.

**375-B:5 Issuance of Common Carrier Certificate.** A certificate shall be issued to any qualified applicant therefor, as defined in section 2, paragraphs IV, V or VI, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is fit, willing and able properly to perform the service proposed and to conform to the provisions of this act, and the requirements, rules and regulations issued by the commission thereunder, and that the proposed service, to the extent to be authorized by the certificate, is or will be required by the present or future public convenience and necessity; otherwise such application shall be denied.

**375-B:6 Terms and Conditions of Certificate.**

I. Each certificate issued under sections 4 or 5 shall specify the service to be rendered and the routes over which, the fixed termini, if any, between which, and the territory within which, the motor carrier is authorized to operate. The commission may impose upon the exercise of the privileges granted by the certificate, at the time of its issuance or from time to time thereafter, such reasonable terms, conditions and limitations as the public convenience and necessity may require; provided, however, that no terms, conditions, or limitations shall restrict the right of the carrier to add to his or its equipment and facilities over the routes, between the termini or within the territory specified in the certificate, as the development of the business and the demands of the public shall require.

II. A common carrier by motor vehicle operating under such certificate may deviate from the route over which it is authorized to operate under the certificate, under such general or special rules and regulations as the commission may prescribe or when highway conditions are such that operations over such regular routes are impracticable.

**375-B:7 Issuance of Contract Carrier Permits.** A permit shall be issued to any qualified applicant therefor, as defined in section 2, paragraph VII authorizing in whole or in part the operations covered by the application, if it appears from the application or from any hearing held thereon, that the applicant is fit, willing and able properly to perform the service of a contract carrier by motor vehicle, and to conform to the provisions of this act and the lawful requirements, rules and regulations of the commission thereunder, and that the proposed operation, to the extent authorized by the permit, will be consistent with the public interest and the policy declared in section 1 of this act; otherwise such application shall be denied. The commission shall specify in the permit the business of the contract carrier covered thereby and the scope thereof and shall



attach to it, at the time of issuance, and from time to time thereafter, such reasonable terms, conditions, and limitations consistent with the character of the holder as a contract carrier as are necessary to carry out, with respect to the operations of such carrier, the requirements established by the commission under the provisions of this act; provided, however, that no terms, conditions, or limitations shall restrict the right of the carrier to substitute or add contracts within the scope of the permit, or to add to his or its equipment and facilities, as the development of the business and the demands of the public may require.

**375-B:8 Applications for Certificates and Permits.** Applications for certificates and permits required in section 4 shall be made in writing to the commission, verified under oath, accompanied by the proper fee, and shall be in such form and shall contain such information as the commission shall by regulation require. Any person, not included within the provisions of section 4, who is engaged in transportation as a common or contract carrier of property when this chapter takes effect may continue such operation until December 1, 1967, without a certificate or permit and if application for such is made to the commission by said date, the carrier may under such regulations as the commission may prescribe, continue such operations until otherwise ordered by the commission.

**375-B:9 Suspension, Change and Revocation of Certificates and Permits.** Certificates and permits issued under the provisions hereof authorizing operations as a motor carrier shall be effective from the date specified therein and shall remain in effect until suspended, revoked or terminated as herein provided. The commission may, after notice and hearing, upon application or upon its own initiative, amend, suspend, or revoke any such certificate or permit, in whole or in part, for wilful failure to comply with any provisions of this act or with any lawful order, rule or regulation of the commission promulgated thereunder or with any term, condition or limitation of such certificate or permit.

**375-B:10 Transfer of Certificates and Permits.** No certificate or permit nor any rights thereunder are assignable, nor shall they be transferred without the approval of the commission.

**375-B:11 Discontinuance of Operations.** Except as provided in section 9, the holder of a certificate authorizing regular route operations shall not discontinue operations carried on thereunder without the consent of the commission.

**375-B:12 Security for the Protection of Property.** No certificate or permit issued to a motor carrier under the provisions of this act shall remain in effect unless there is filed with the commission a certificate of insurance indicating that there is in force a cargo insurance policy or indemnity bond, in such form and in such reasonable amount for the pro-

tection of the owner or owners of the property transported, for the payment of damages resulting from the negligent operation, maintenance, or use of motor vehicles under such certificate or permit.

**375-B:13 Rates and Charges.** Every common carrier by motor vehicle shall file with the commission and shall print and keep open to public inspection, schedules of rates and charges for the transportation of property or for any service rendered or to be rendered, within such time, in such form and with such detail, as the commission may prescribe. Unless the commission otherwise orders, no change shall be made in any such rate, charge or price, which shall have been filed or published in compliance with this section, except after thirty days' notice to the commission and such notice to the public as the commission shall direct.

**375-B:14 Discrimination Prohibited.** It shall be unlawful for any common carrier by motor vehicle engaged in transportation between points in this state to make, give or cause any undue or unreasonable preference or advantage to any particular person or locality, in any respect whatsoever, or to subject any particular person or locality to any unjust discrimination or any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

**375-B:15 Adherence to Tariffs.** No common carrier by motor vehicle shall charge or demand or collect or receive a greater or less or different compensation for transportation or for any service in connection therewith between the points enumerated in such tariff than the rates and charges specified in the tariffs in effect at the time; and no such carrier shall refund or remit in any manner or by any device, directly or indirectly, or through any agent or otherwise, any portion of the rates or charges so specified, or extend to any person any privileges or facilities for transportation between points in this state except such as are specified in its tariffs.

**375-B:16 Contract Carrier Rates.** Whenever any person is engaged in operations as a contract carrier by motor vehicle, as defined in section 2, paragraph VII, in competition with any common carrier or common carriers, such contract carrier shall file with the commission the rates, rules or regulations applying to such service; provided, however, that such filing shall not be necessary if property is to be transported for any common carrier when the rates charged the public for the transportation of such property are filed with the commission. No such contract carrier shall charge, demand, exact, receive or collect for any service rendered an amount less than the rates on file with the commission; provided, however, that any such carrier holding a public interest permit may file new rates, rules, and regulations or change the highways over which it gives service by filing notice thereof with the commission.

**375-B:17 General Duties and Powers of the Commission.** It shall be the duty of the commission:

I. To regulate common and contract carriers of property by motor vehicle as provided in this chapter, and to that end the commission may establish reasonable requirements and regulations with respect to reasonable and adequate service, and safety of operation and equipment.

II. To administer, execute, and enforce all other provisions hereof, to make all necessary orders in connection therewith, and to prescribe rules, regulations, and procedure for such administration.

III. To make cooperative agreements with the Interstate Commerce Commission for the enforcement of the economic and safety laws and regulations concerning highway transportation pursuant to the provisions of Part II of the Interstate Commerce Act, as amended.

**375-B:18 Investigation; Inspectors.** Every motor carrier while operating in the course of its business in this state, when requested to do so by a duly authorized representative of the commission who displays the proper insignia of his office, shall stop and submit his motor vehicle to such reasonable examination as may be necessary to inform the representative of its condition and the service being performed. Any such carrier, who, personally or by his servant, agent, or employee violates any provision of this section shall be punished by a fine of not more than twenty-five dollars. For the purpose of enforcing this act and the rules and regulations prescribed by the commission pursuant to the provisions thereof, authorized representatives of the commission shall have the powers of a deputy sheriff in any county in this state.

**375-B:19 Vehicles to be Registered.** Each motor carrier holding a certificate or permit under the provisions of this chapter, shall annually apply to the department of safety, division of motor vehicles on blanks to be furnished by it, for the registration of each vehicle operated under the provisions of such certificate or permit and pay to said division fees as provided for in section 20 II. Upon receipt of such application and fee a distinguishing number plate or plates and registration certificate shall be furnished by the division for each vehicle applied for and said plates shall be prominently displayed on the vehicle in such manner as the director of the division of motor vehicles shall prescribe. Registration certificates and number plates issued under the provisions of this section shall be used coincidental with, and shall expire with the corresponding registration certificate and number plates issued by the motor vehicle division of this state under RSA 260; provided, however, that if the vehicle so registered as a motor carrier is not registered with the motor vehicle division of this state said carrier registration certificate and number plates shall expire with March thirty-first next following the date of issue.

**375-B:20 Fees.**

I. There shall be paid to the commission, the following fees:

(a) For each application for common or contract carrier of property pursuant to section 4, ten dollars.

(b) For each application for common or contract carrier of property pursuant to sections 5 or 7, twenty-five dollars.

II. There shall be paid to the division of motor vehicles, the following fees:

(a) For the annual registration of each vehicle used in common carriage of property, five dollars.

(b) For the annual registration of each vehicle used in the contract carriage of property, three dollars.

(c) For each transfer of a motor vehicle registration certificate of a common or contract carrier of property, one dollar.

**375-B:21 Temporary Certificates or Permits.** To enable the provision of service for which there may be an immediate and urgent need to a point or points or within a territory having no carrier service capable of meeting such need, the commission may, in its discretion and without hearings or other proceedings, grant temporary authority for such service by a common carrier or a contract carrier by motor vehicle, as the case may be. Such temporary authority, unless suspended or revoked for good cause, shall be valid for such time as the commission shall specify but for not more than an aggregate of sixty days, and shall create no presumption that corresponding permanent authority will be granted thereafter. Transportation service rendered under such temporary authority shall be subject to all applicable provisions hereof, and to the rules, regulations and requirements of the commission issued thereunder.

**375-B:22 Registration of Interstate Certificates and Permits.** Common carriers by motor vehicle and contract carriers by motor vehicle operating into or through this state in interstate commerce pursuant to a certificate or permit issued by the Interstate Commerce Commission shall register such interstate certificate or interstate permit or such portion thereof authorizing operations into or through this state, with the public utilities commission, by filing a copy thereof accompanied by a fee of ten dollars for each such certificate or permit.

**375-B:23 Registration of Vehicles Operating in Interstate Commerce.** Each vehicle equipped with machinery for propulsion over the public highways engaged in interstate operations in the performance of the carriage of property for hire as a common carrier by motor vehicle or a contract carrier by motor vehicle and engaged exclusively in interstate commerce shall register such vehicles with the public utilities commission and pay therefor a fee of five dollars annually.

**375-B:24 Penalty.** Any person violating any provision of this chapter, or any rule, regulation, requirement or order issued thereunder, or any

term or condition of any certificate, permit or license, shall upon conviction be fined not more than one hundred dollars for the first offense and not more than five hundred dollars for any subsequent offense. Each day of such violation shall constitute a separate offense. Any person, whether carrier, officer, servant, employee, agent or representative thereof, who shall knowingly offer, grant, give, solicit, accept, or receive any rebate, concession or discrimination in violation of any provision hereof, or who by means of any false or fictitious bill, receipt, voucher, roll, account, claim, certificate, affidavit, deposition, lease or bill of sale, or by any other means or device, shall knowingly or wilfully assist, suffer or permit any person or persons, natural or artificial, to obtain transportation of property subject to this act for less than the legally filed applicable rate, or charge, or who shall knowingly and wilfully by any such means or otherwise fraudulently seek to evade or defeat regulation as in this act provided for motor carriers, shall be deemed guilty of a misdemeanor and upon conviction thereof be fined not more than one hundred dollars for the first offense and not more than one thousand dollars for any subsequent offense.

**375-B:25 Disposition of Revenues.** All fees and fines collected pursuant to the provisions hereof shall be made available to the commission for use in the administration and enforcement hereof.

**348:2 Repeal.** RSA 375 as amended by 1959, 227:1, 1961, 166, 1963, 130:1 and 1963, 268 relative to motor carriers of property, is hereby repealed.

**348:3 Effective Date.** This act shall take effect and be in force on and after December 1, 1967 except that, for the purposes of promulgating such procedures, rules and regulations as may be necessary to the administration hereof and the receipt of applications for certificates and permits this act shall take effect September 1, 1967.

[Approved July 3, 1967.]

[Effective as specified.]

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## CHAPTER 349.

AN ACT TO IMPOSE A PENALTY FOR THE UNLAWFUL USE OF AN OUTLET OF  
ANY INLAND PUBLIC WATER.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**349:1 Unlawful Control of Lake Levels.** Amend RSA 484 by inserting after section 3 the following new section: **484:3-a Penalty When Use Unlawful.** Any person, firm, or corporation who disturbs, manages, or controls the outlet of any inland public water and the instrumentalities

connected therewith in an unlawful manner under the provisions of this chapter is subject to a fine not to exceed one thousand dollars.

**349:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 350.

### AN ACT RELATIVE TO PUBLIC WORKS AND HIGHWAYS RESERVE FUND.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**350:1 Extension of Appropriations.** Amend RSA 228:11 as inserted by 1957, 289:7 by striking out the same and inserting in place thereof the following: **228:11 Reserve Fund.** There shall be established in the department of public works and highways a special account to be known as the reserve fund. Notwithstanding the provisions of RSA 9:18, at the close of each fiscal year all unencumbered balances of all appropriation accounts in the department of public works and highways, except those for construction and reconstruction of highways, shall be transferred to the reserve fund; and all encumbered but unexpended portions of all appropriation accounts which have not been expended during the fiscal year for which they were appropriated shall lapse at the expiration of the succeeding fiscal year or when the object for which the encumbrance was made has been accomplished, whichever occurs last; and all funds for construction and reconstruction of highways shall not lapse whether or not encumbered. All revenue of said department from motor vehicle fees and fines, highway garage and other sources, in excess of budget estimates shall likewise be transferred each fiscal year to said reserve fund. Any balance of funds received from motor vehicle road toll not otherwise required for the payment of interest and principal on any bonds or notes issued heretofore or hereafter and in excess of budget estimates for payment of highway purposes shall likewise be transferred to said reserve fund. No monies shall be expended from said reserve fund except as provided in section 12.

**350:2 Effective Date.** This act shall take effect upon passage.

[Approved July 3, 1967.]

[Effective date July 3, 1967.]

**CHAPTER 351.****AN ACT RELATIVE TO STARTING SCHOOLING FOR DEAF CHILDREN AT THE AGE OF FOUR.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**351:1 Schooling For Deaf Children at Age of Four.** Amend RSA 186-A:8 (supp) as inserted by 1965, 378:1, by inserting after the word "blind" in line ten the following: (Schooling for deaf children may commence at the age of four) so that said section as amended shall read as follows: 186-A:8 **Tuition of Handicapped Children.** Whenever any handicapped child shall attend, with the approval of the state board of education, any public or private school, situated within or outside of this state, which offers special instruction for the training or education of handicapped children and which has been approved for such training by the state board of education, the school district where such handicapped child resides is hereby authorized and empowered and may appropriate and pay a portion of the cost of such education in the manner and up to the amounts as provided by RSA 193:4 and 194:27. The state board of education shall assign pupils to approved schools for the deaf and/or for the blind. Schooling for deaf children may commence at the age of four. The school district in which each such pupil resides shall be liable for tuition of said child in the same manner and amount as specified in RSA 193:4 and 194:27. A school district may pay tuition at a rate higher than the amount specified in RSA 193:4 and 194:27, when in the judgment of the school board the circumstances warrant it.

**351:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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**CHAPTER 352.****AN ACT PROVIDING FOR RESIDENT DISCOUNTS AT STATE SKIING FACILITIES AND STATE PARKS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**352:1 Summer Rates.** Amend RSA 218 by inserting after section 5 as amended by 1961, 223:3 the following new section: **218:5-a Discounts; Division of Parks.** The director of the division of parks is hereby instructed to issue day use coupon books reflecting a twenty per cent discount from the usual rates charged at state parks during the summer months.

**352:2 Resident Rates at Ski Areas.** Amend RSA 227 by inserting after section 13 as inserted by 1963, 244:1 the following new section: **227:14 Reduced Rates.** A discount of twenty per cent shall be given by the division to state residents, when certified as such by their respective town clerks, on all season tickets and coupon books sold prior to December 15 of each year for winter facilities at Mt. Sunapee and Cannon Mountain state ski areas.

**352:3 Division of Parks.** Amend RSA 218 by inserting after section 15 the following new section: **218:16 Passes.** In recognition of promotional or reciprocal cooperation, the director of parks, with the approval of the commissioner, may grant special daily or seasonal passes to persons to use recreational or other areas under his jurisdiction under the following conditions: no more than one such pass, including not more than one other person, shall be assigned to an individual and use of the same shall not be transferable to others than members of the family of said recipient. Any pass of seasonal duration shall include individualized identification. The commissioner shall establish other conditions for the issuance of said passes and the director shall cancel said passes for any violation of said conditions.

**352:4 Effective Date.** This act shall take effect on passage.

[Approved July 3, 1967]

[Effective date July 3, 1967.]

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## CHAPTER 353.

### AN ACT INCREASING THE SALARIES OF CLASSIFIED, TEMPORARY AND SEASONAL EMPLOYEES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**353:1 Classified State.** Amend RSA 99:1 (supp) as amended by 1957, 274:1, 1961, 222:1 and 1965, 73:1 by striking out said section and inserting in place thereof the following:

**99:1 Salaries Established.** The salary ranges for all classified state employees shall be established as follows:

Salary Grade	Minimum	Step 1	Step 2	Step 3	Maximum
1	3453.32	3553.94	3653.78	3754.40	3853.98
2	3545.62	3645.46	3745.04	3844.62	3944.20
3	3636.88	3736.46	3835.00	3934.58	4034.42
4	3695.90	3825.12	3956.68	4111.12	4275.18
5	3818.62	3983.20	4172.22	4361.24	4550.00
6	3969.16	4158.18	4347.20	4536.22	4725.24



7	4169.10	4388.02	4607.20	4826.12	5045.04
8	4344.08	4563.00	4782.18	5001.10	5220.02
9	4519.06	4738.24	4957.16	5176.08	5395.00
10	4694.04	4913.22	5132.14	5355.74	5649.80
11	4869.02	5088.20	5316.22	5642.26	5968.04
12	5069.22	5308.16	5580.90	5933.46	6286.02
13	5269.16	5589.22	5909.02	6229.08	6604.00
14	5469.10	5794.10	6119.10	6516.64	6921.98
15	5669.04	6023.68	6429.02	6834.62	7240.22
16	5980.00	6373.12	6766.24	7159.10	7558.20
17	6300.06	6713.20	7126.08	7539.22	7952.10
18	6600.10	7025.20	7450.04	7875.14	8300.24
19	6900.14	7345.00	7790.12	8235.24	8680.10
20	7220.20	7678.06	8136.18	8594.04	9052.16
21	7580.04	8048.04	8516.04	8984.04	9452.04
22	7895.16	8380.06	8865.22	9350.12	9835.02
23	8280.22	8780.20	9280.18	9780.16	10280.14
24	8650.20	9163.18	9676.16	10189.14	10702.12
25	9020.18	9550.06	10080.20	10610.08	11140.22
26	9400.04	9945.00	10490.22	11035.18	11580.14
27	9780.16	10345.14	10910.12	11475.10	12040.08
28	10180.04	10765.04	11350.04	11935.04	12520.04
29	10560.16	11170.12	11780.08	12390.04	13000.00
30	11030.24	11673.22	12316.20	12959.18	13602.16
31	11600.16	12280.06	12960.22	13640.12	14320.02
32	12300.08	13030.16	13760.24	14490.06	15220.14
33	13200.20	13975.00	14750.06	15525.12	16300.18
34	14750.06	15550.08	16350.10	17150.12	17950.14

**353:2 Appropriations.** There are hereby appropriated for the fiscal year ending June 30, 1968 for the salary increases for classified state employees as provided herein, the following sums: \$1,396,735.39 from the general funds of the state; \$788,015.83 from highway funds; \$66,263.89 from fish and game funds; \$120,258.97 from federal funds; and \$95,161.00 from self-sustaining funds. For the fiscal year ending June 30, 1969 there is hereby appropriated for said salary increases the following sums; \$1,418,371.85 from the general funds of the state; \$795,159.92 from the highway funds; \$66,519.98 from fish and game funds; \$120,911.23 from federal funds; and \$96,438.05 from self-sustaining funds.

**353:3 Appropriations for Temporary and Seasonal.** There are hereby appropriated for the fiscal year ending June 30, 1968 for the salary increases for temporary and seasonal state employees as provided herein, the following sums: \$90,064 from the general funds of the state; \$66,000 from highway funds; and \$10,800 from self-sustaining funds. For the fiscal year ending June 30, 1969 there is hereby appropriated for said

salary increases the following sums: \$90,064 from the general funds of the state; \$66,000 from the highway funds; and \$10,800 from self-sustaining funds.

**353:4 Change in Date.** Amend RSA 99:3 (supp) as amended by 1957, 274:3, 1961, 221:2 and 1965, 73:2 by striking out the words and figures "July 2, 1965" where it appears in line two and inserting the words and figures (July 14, 1967), so that said section as amended shall read as follows: **99:3 Increase in Salary.** Classified employees of the state as of July 14, 1967 shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their annual salaries shall be in accordance with the salary scale set forth in section 1. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

**353:5 Appropriations for Retirement and OASI.** There are hereby appropriated for fiscal 1968 and fiscal 1969 the following sums:

*Retirements* (normal contribution and accrued liability)

	Fiscal 1968	Fiscal 1969
General funds	\$ 59,360	\$ 60,280
Highway fund	33,490	33,794
Fish and game fund	2,816	2,827
Federal funds	5,110	5,138
Self-sustaining funds	4,044	4,098
Total	<u>\$104,820</u>	<u>\$106,137</u>

*OASI*

General funds	\$ 42,532	\$ 46,453
Highway fund	19,646	19,950
Fish and game fund	1,984	1,842
Federal funds	6,298	5,489
Self-sustaining funds	3,326	3,405
Total	<u>\$ 73,786</u>	<u>\$ 77,139</u>

**353:6 Additional Increases.** Amend RSA 99 by inserting after section 7 the following new sections: **99:8 Increases.** Upon request of the appointing authority, the governor and council is hereby authorized and empowered, notwithstanding any other provisions of the law to the contrary, upon a finding by them and a recommendation from the personnel commission that it is in the best interest of the state and is necessary in order to recruit or retain qualified personnel, to increase the salaries of classified positions beyond grade 34, any such increases to be a charge against

the salary adjustment fund. **99:9 Classified Employees.** (1) Employees whose positions were lowered as a result of the 1961 reorganization acts shall receive increases based upon their classifications as of June 30, 1961.

(2) Employees whose positions were lowered as a result of reevaluation since June 30, 1965 shall receive increases based upon their classifications as of June 30, 1965.

**353:7 Repeal.** 1965, 73:3 relative to certain employees is hereby repealed.

**353:8 Effective Date.** This act shall take effect July 14, 1967.

[Approved July 3, 1967.]

[Effective date July 14, 1967.]

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## CHAPTER 354.

### AN ACT RELATING TO THE REGULATION OF AIRCRAFT ACTIVITIES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**354:1 Definitions.** Amend RSA 422:3 by inserting after paragraph XXVIII the following new paragraphs:

**XXIX.** "Parachute" means any folding umbrella type contrivance usually constructed of fabric and used to slow a person's or material's descent through the air.

**XXX.** "Parachutist" means any person who uses a parachute for purposes of descent through the air.

**XXXI.** "Parachutist, student" means a parachutist who has not accomplished at least twenty-five free fall jumps of up to thirty seconds delay, four jumps of which have been made within the past twelve months and at least one of which has been made within the last sixty days.

**XXXII.** "Parachute jump" means the descent of a person to the surface from an aircraft in flight when that person intends to use, or uses a parachute during all or part of that descent.

**XXXIII.** "Parachutist, jump master or instructor" means the most experienced parachutist aloft in any one aircraft who has demonstrated ability to correctly and safely "jump master" students in both static line and free fall jumps as follows:

(a) Shall have made seventy-five free fall jumps including sixty-five stable delays, fifteen of which shall consist of a delay of at least ten seconds, thirty of at least twenty seconds, fifteen of at least thirty seconds and five of at least forty-five seconds;

(b) Shall be able to hold a heading during free fall, prevent spins, and be able to correct spotting errors by tracking;

(c) Shall have landed within thirty yards of center of target on fifteen attempts with delays of twenty seconds or longer;

(d) Shall have completed two alternate three hundred sixty degree flat turns to the left and to the right in free fall in seven seconds or less;

(e) At least six of the above jumps shall have been made within the past six months, at least two of which shall have been made within the sixty days immediately preceding the exhibition jump.

**354:2 Authority of Director.** Amend RSA 422:14 by inserting at the end thereof the following: (The director shall be the coordinating authority for all agencies and persons participating in aircraft search and rescue missions within the state. Any agency, organization or person wishing to participate in aircraft search and rescue missions shall apply for and receive authority from the director to participate and such authority shall be subject to such terms, conditions and instructions as the director may deem appropriate. The director is authorized to reimburse aircraft owners for actual costs of aircraft operation during authorized aircraft search and rescue missions. The director or his authorized representative shall be responsible for the investigation of all civil aircraft accidents occurring within the state and no person shall touch any part of any aircraft or wreckage at the scene of an aircraft accident without the express approval of the director or his authorized representative provided that this authority may also be delegated to representatives of federal agencies concerned with aircraft accident investigation. If any one or more of the provisions of this section is held invalid, the validity of the remaining provisions shall not be affected thereby) so that the section as amended shall read as follows: **422:14 Powers and Duties of Director.** The director shall be the executive officer of the commission, and under the supervision of the commission, shall administer the provisions of this chapter and all the laws of the state relative to aeronautics. The director, with the approval of the commission, and within the limits of the appropriation may hire field and office assistants necessary for the proper execution of his duties. The director shall exercise general supervision, control, and direction on behalf of the state, over all matters pertaining to the location, construction, and maintenance of all air navigation facilities now or hereafter built or maintained, either in whole or in part, with money appropriated from the state treasury. He may recommend to the governor and council that the state acquire land, easements, and rights of way for the establishment of air navigation facilities. Such land, easements, and rights of way may be acquired by purchase, grant or condemnation in the manner provided by law by which the governor and council are authorized to acquire real property for public purposes, and property so acquired may be conveyed to a town for use in connection with the establishment

of air navigation facilities for such a consideration as the governor and council may determine. The director shall be the coordinating authority for all agencies and persons participating in aircraft search and rescue missions within the state. Any agency, organization or person wishing to participate in aircraft search and rescue mission shall apply for and receive authority from the director to participate and such authority shall be subject to such terms, conditions and instructions as the director may deem appropriate. The director is authorized to reimburse aircraft owners for actual costs of aircraft operation during authorized aircraft search and rescue missions. The director or his authorized representative shall be responsible for the investigation of all civil aircraft accidents occurring within the state and no person shall touch any part of any aircraft or wreckage at the scene of an aircraft accident without the express approval of the director or his authorized representative provided that this authority may also be delegated to representatives of federal agencies concerned with aircraft accident investigation. If any one or more of the provisions of this section is held invalid, the validity of the remaining provisions shall not be affected thereby.

**354:3 Registration Certificates.** Amend RSA 422:24 (supp) as amended by 1961, 89:1 by inserting in line two after the word "airmen" the word (parachutists,) so that the section as amended shall read as follows:  
**422:24 State Registration Certificates.** The commission is empowered to issue registration certificates for airmen, parachutists, aircraft, landing areas, aircraft service operators, and air carriers and establish the requirements for and the terms, conditions and limitation of such certificates. For the purpose of this section an aircraft service operator is defined as any person who engages in the operation of aircraft for hire as a common carrier of persons or in connection with flight training or who for hire engages in the repair and maintenance of aircraft.

**354:4 Exceptions to Registration.** Amend RSA 422:33, V by inserting after the word "commerce" in line five the words (and provided that said aircraft is not based in this state more than sixty days during each registration year) so that the paragraph as amended shall read as follows:  
V. The registration of an aircraft which is owned by a nonresident of this state who is lawfully entitled to operate such aircraft in the state, district or country of his residence, provided that said state, district or country grants like privileges to residents of this state, and that such an operation does not constitute an act of air commerce, and provided that said aircraft is not based in this state more than sixty days each registration year.

**354:5 Aircraft Based and Registered in Another State.** Amend RSA 422:33 by inserting after paragraph VI the following new paragraph: VII. The registration of an aircraft owned by a resident of this state which aircraft is based in another state having state registration requirements,

provided such aircraft shall be in fact registered in such other state, and provided such aircraft shall not be used commercially within this state and further provided that a registration waiver is obtained from the commission.

**354:6 Prohibitions.** Amend RSA 422:34 (supp) as amended by 1961, 89:3 and 261:4 by inserting after paragraph IX the following new paragraphs:

X. For any person to operate or attempt to operate an aircraft on the ground or in the air while under the influence of intoxicating liquor or of any drug.

XI. For any person to touch any part of aircraft wreckage at an aircraft accident scene except for rescue of persons and/or classified materials without specific approval of the director or authorized representatives.

XII. For any person to make an intentional parachute jump from an aircraft without being equipped with an approved double pack parachute.

XIII. For any student parachutist to make an intentional parachute jump from an aircraft without being equipped with an approved double pack parachute and an approved automatic parachute opener.

XIV. For any person to make an intentional parachute jump with delayed opening of parachute longer than is necessary to clear the aircraft, or over congested areas of cities, towns or settlements or an open air assembly of persons unless in possession of a waiver issued by the commission.

XV. For any person to operate or authorize the operation of a gyroglider or a gyrocopter within the state which is not possessed of a currently effective state registration certificate.

**354:7 Increasing Penalties.** Amend RSA 422:35, I by striking out in line four the words "five hundred" and inserting in their place the words (one thousand) so that the paragraph as amended shall read as follows: I. Any person who violates any provisions of this chapter pertaining to registration or the air traffic rules, or who violates any provisions of an order, rule or regulation made hereunder, or fails to answer a subpoena or to testify before the commission, shall be fined not exceeding one thousand dollars or imprisoned for not more than six months, or both.

**354:8 Fees Increased.** Amend RSA 422:37, IX by striking out in line two the words "one dollar" and inserting in their place the words (twenty-five dollars) so that the paragraph as amended shall read as follows: IX. For each aircraft dealer's registration certificate for ferrying and demonstration purposes, twenty-five dollars.

**354:9 Additional Fees.** Amend RSA 422:37 (supp) as amended by 1961, 89:2 and 261:2 by inserting after paragraph XII the following new paragraphs:

XIII. For each gyrocopter registration certificate, five dollars.

XIV. For each gyroglider registration certificate, three dollars.

XV. For each parachutist's registration certificate, three dollars.

**354:10 Fees: Exceptions.** Amend RSA 422:38, VII (supp) as inserted by 1965, 23:1 by inserting in line two after the word "glider" the words (and homebuilt aircraft) so that the paragraph as amended shall read as follows: VII. A fee in lieu of personal property tax for the non-commercial operation of a glider and homebuilt aircraft.

**354:11 Additional Exceptions.** Amend RSA 422:38 (supp) as amended by 1961, 261:3 and 1965, 23:1 by inserting after paragraph VII the following new paragraphs:

VIII. A fee in lieu of personal property tax for the operation of a gyrocopter or gyroglider.

IX. Registration of a parachutist when jumping:

(a) because of an in-flight emergency, or

(b) while under military orders to perform such jumps, or

(c) a non-resident who has complied with all laws of his home state and who is not jumping in this state for compensation or hire or serving as jump master or instructor.

**354:12 Amount of Damage Requiring Report Increased.** Amend RSA 422-A:3 (a) (supp) as inserted by 1955, 211:1 by striking out in line two the word "one" and inserting in its place the word (three) so that the paragraph as amended shall read as follows: (a) The operator of any aircraft involved in an accident within this state in which any person is killed or injured or damage in excess of three hundred dollars is sustained to the property of any person, other than property owned by the owner or operator or in his care, custody or control or carried in or on the aircraft, shall immediately but not later than forty-eight hours after the accident report the matter in writing to the agency. If the operator is physically incapable of making the report, the owner of the aircraft involved in the accident shall immediately but not later than forty-eight hours after learning of the accident, make the report. If neither the operator nor the owner is physically capable of making the report, then each passenger shall, within ten days after learning of the incapacity of the operator or owner, make the report. If the owner or operator dies as a result of the accident, the legal representative of the operator or owner shall make the report within ten days after his qualification. The sheriff of the county in which the accident occurred shall notify the agency there-

of in writing immediately but not later than forty-eight hours after learning of the accident.

**354:13 Public Required to Report.** Amend RSA 422-A:3 (supp) as inserted by 1955, 211:1 by inserting after paragraph (c) the following new paragraph: (d) Any person having knowledge of an aircraft accident shall promptly report all facts to the commission or to state police when the commission's office is closed.

**354:14 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 355.

### AN ACT PROVIDING ADDITIONAL RETIREMENT ALLOWANCES FOR CERTAIN RETIRED STATE EMPLOYEES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**355:1 State Employees' Retirement System.** Amend RSA 100:20-b (supp) as inserted by 1965, 344:1 by striking out said section and inserting in place thereof the following: **20-b Supplementary Allowances.** Any state employee beneficiary who retired prior to July 1, 1961 and who is in receipt of a retirement allowance on January 1, 1968, including any state employee retired under the state employees' retirement system as established by 1945, 183, shall beginning with the month of January, 1968 and monthly thereafter but not beyond the month of December, 1968 have his allowance increased by 7%. If the beneficiary of a retired member who retired prior to July 1, 1961 and elected an option providing for a survivor annuity is in receipt of such survivor annuity on January 1, 1968, the beneficiary shall be paid beginning with the month of January, 1968 and monthly thereafter but not beyond the month of December, 1968, an increased retirement allowance which shall be the same proportion of the increased retirement allowance the member would have been entitled to receive, if any, prior to any optional modification, had he been living on January 1, 1968, as the survivor annuity bears to the full allowance prior to optional modification by such former retired member at retirement. When the increased retirement allowance of any one beneficiary shall be ascertained under the terms of the above-mentioned provisions, the difference between said increased retirement allowance and the retirement allowance said beneficiary is then receiving as of December 31, 1967 shall be multiplied by two and the said sum shall be paid to said beneficiary in twelve monthly installments during the period from January 1, 1968 to December 31, 1968. Nothing herein shall be



construed as affecting the regular retirement allowance of any beneficiary. The payment of the additional retirement allowances payable hereunder shall be contingent on the payment by the state of the additional amounts required to meet the current disbursements of such additional retirement allowances.

**355:2 Appropriation.** To provide funds for the payment of the supplemental allowances provided herein, the sum of seventeen thousand three hundred dollars is hereby appropriated for the fiscal year ending June 30, 1968, to be expended between January 1, 1968 and June 30, 1968 and the sum of seventeen thousand three hundred dollars is hereby appropriated for the fiscal year ending June 30, 1969, to be expended between July 1, 1968 and December 31, 1968. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**355:3 Effective Date.** This act shall take effect January 1, 1968.

[Approved July 3, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 356.

### AN ACT TO CREATE A NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**356:1 Interstate School Compact.** Amend RSA by inserting after chapter 200-A as inserted by 1955, 232:1 a new chapter as follows:

#### Chapter 200-B

##### New Hampshire-Vermont Interstate School Compact

**200-B:1 Compact.** The state of New Hampshire enters into the following compact with the state of Vermont subject to the terms and conditions therein stated.

##### New Hampshire-Vermont Interstate School Compact

#### Article I

##### General Provisions

A. Statement of policy. It is the purpose of this compact to increase the educational opportunities within the states of New Hampshire and Vermont by encouraging the formation of interstate school districts which will each be a natural social and economic region with adequate financial resources and a number of pupils sufficient to permit the efficient use of

school facilities within the interstate district and to provide improved instruction. The state boards of education of New Hampshire and Vermont may formulate and adopt additional standards consistent with this purpose and with these standards; and the formation of any interstate school district and the adoption of its articles of agreement shall be subject to the approval of both state boards as hereinafter set forth.

B. Requirement of Congressional Approval. This compact shall not become effective until approved by the United States Congress.

C. Definitions. The terms used in this compact shall be construed as follows, unless a different meaning is clearly apparent from the language or context:

a. "Interstate school district" and "interstate district" shall mean a school district composed of one or more school districts located in the state of New Hampshire associated under this compact with one or more school districts located in the state of Vermont, and may include either the elementary schools, the secondary schools, or both.

b. "Member school district" and "member district" shall mean a school district located either in New Hampshire or Vermont which is included within the boundaries of a proposed or established interstate school district. In the case of districts located in Vermont, it shall include city school districts, town school districts and incorporated school districts. Where appropriate, the term "member district clerk" shall refer to the clerk of the city in which a Vermont school district is located, the clerk of the town in which a Vermont town school district is located, or the clerk of an incorporated school district.

c. "Elementary school" shall mean a school which includes all grades from kindergarten or grade one through not less than grade six nor more than grade eight.

d. "Secondary school" shall mean a school which includes all grades beginning no lower than grade seven and no higher than grade twelve.

e. "Interstate board" shall refer to the board serving an interstate school district.

f. "New Hampshire board" shall refer to the New Hampshire state board of education.

g. "Vermont board" shall refer to the Vermont state board of education.

h. "Commissioner" shall refer to commissioner of education.

i. Where joint action by both state boards is required, each state board shall deliberate and vote by its own majority, but shall separately reach the same result or take the same action as the other state board.

j. The terms "professional staff personnel" and "instructional staff personnel" shall include superintendents, assistant superintendents, administrative assistants, principals, guidance counselors, special education

personnel, school nurses, therapists, teachers, and other certificated personnel.

k. The term "warrant" or "warning" to mean the same for both states.

## Article II

### Procedure for Formation of an Interstate School District

A. Creation of Planning Committee. The New Hampshire and Vermont commissioners of education shall have the power, acting jointly to constitute and discharge one or more interstate school district planning committees. Each such planning committee shall consist of at least two voters from each of a group of two or more neighboring member districts. One of the representatives from each member district shall be a member of its school board, whose term on the planning committee shall be concurrent with his term as a school board member. The term of each member of a planning committee who is not also a school board member shall expire on June thirtieth of the third year following his appointment. The existence of any planning committee may be terminated either by vote of a majority of its members or by joint action of the commissioners. In forming and appointing members to an interstate school district planning board, the commissioners shall consider and take into account recommendations and nominations made by school boards of member districts. No member of a planning committee shall be disqualified because he is at the same time a member of another planning board or committee created under the provisions of this compact or under any other provisions of law. Any existing informal interstate school planning committee may be reconstituted as a formal planning committee in accordance with the provisions hereof, and its previous deliberations adopted and ratified by the reorganized formal planning committee. Vacancies on a planning committee shall be filled by the commissioners acting jointly.

B. Operating Procedures of Planning Committee. Each interstate school district planning committee shall meet in the first instance at the call of any member, and shall organize by the election of a chairman and clerk-treasurer, each of whom shall be a resident of a different state. Subsequent meetings may be called by either officer of the committee. The members of the committee shall serve without pay. The member districts shall appropriate money on an equal basis at each annual meeting to meet the expenses of the committee, including the cost of publication and distribution of reports and advertising. From time to time the commissioners may add additional members and additional member districts to the committee, and may remove members and member districts from the committee. An interstate school district planning committee shall act by majority vote of its membership present and voting.

C. Duties of Interstate School District Planning Committee. It shall be the duty of an interstate school district planning committee, in con-

sultation with the commissioners and the state departments of education: to study the advisability of establishing an interstate school district in accordance with the standards set forth in paragraph A of Article I of this compact, its organization, operation and control, and the advisability of constructing, maintaining and operating a school or schools to serve the needs of such interstate district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of an interstate school district; and to submit a report or reports of its findings and recommendations to the several member districts.

D. Recommendations and Preparation of Articles of Agreement. An interstate school district planning committee may recommend that an interstate school district composed of all the member districts represented by its membership, or any specified combination of such member districts, be established. If the planning committee does recommend the establishment of an interstate school district, it shall include in its report such recommendation, and shall also prepare and include in its report proposed articles of agreement for the proposed interstate school district, which shall be signed by at least a majority of the membership of the planning committee, which set forth the following:

a. The name of the interstate school district.

b. The member districts which shall be combined to form the proposed interstate school district.

c. The number, composition, method of selection and terms of office of the interstate school board, provided that:

(1) The interstate school board shall consist of an odd number of members, not less than five nor more than fifteen;

(2) The terms of office shall not exceed three years;

(3) Each member district shall be entitled to elect at least one member of the interstate school board. Each member district shall either vote separately at the interstate school district meeting by the use of a distinctive ballot, or shall choose its member or members at any other election at which school officials may be chosen;

(4) The method of election shall provide for the filing of candidacies in advance of election and for the use of a printed non-partisan ballot;

(5) Subject to the foregoing, provision may be made for the election of one or more members at large.

d. The grades for which the interstate school district shall be responsible.

e. The specific properties of member districts to be acquired initially by the interstate school district and the general location of any proposed new schools to be initially established or constructed by the interstate school district.

f. The method of apportioning the operating expenses of the interstate school district among the several member districts, and the time and manner of payments of such shares.

g. The indebtedness of any member district which the interstate district is to assume.

h. The method of apportioning the capital expenses of the interstate school district among the several member districts, which need not be the same as the method of apportioning operating expenses, and the time and manner of payment of such shares. Capital expenses shall include the cost of acquiring land and buildings for school purposes; the construction, furnishing and equipping of school buildings and facilities; and the payment of the principal and interest of any indebtedness which is incurred to pay for the same.

i. The manner in which state aid, available under the laws of either New Hampshire or Vermont, shall be allocated, unless otherwise expressly provided in this compact or by the laws making such aid available.

j. The method by which the articles of agreement may be amended, which amendments may include the annexation of territory, or an increase or decrease in the number of grades for which the interstate district shall be responsible, provided that no amendment shall be effective until approved by both state boards in the same manner as required for approval of the original articles of agreement.

k. The date of operating responsibility of the proposed interstate school district and a proposed program for the assumption of operating responsibility for education by the proposed interstate school district, and any school construction; which the interstate school district shall have the power to vary by vote as circumstances may require.

1. Any other matters, not incompatible with law, which the interstate school district planning committee may consider appropriate to include in the articles of agreement, including, without limitation:

(1) The method of allocating the cost of transportation between the interstate district and member districts;

(2) The nomination of individual school directors to serve until the first annual meeting of the interstate school district.

E. Hearings. If the planning committee recommends the formation of an interstate school district, it shall hold at least one public hearing on its report and the proposed articles of agreement within the proposed interstate school district in New Hampshire, and at least one public hearing thereon within the proposed interstate school district in Vermont. The planning committee shall give such notice thereof as it may determine to be reasonable, provided that such notice shall include at least one publication in a newspaper of general circulation within the proposed interstate school district not less than fifteen days (not counting the date of publication and not counting the date of the hearing) before

the date of the first hearing. Such hearings may be adjourned from time to time and from place to place. The planning committee may revise the proposed articles of agreement after the date of the hearings. It shall not be required to hold further hearings on the revised articles of agreement but may hold one or more further hearings after notice similar to that required for the first hearings if the planning committee in its sole discretion determines that the revisions are so substantial in nature as to require further presentation to the public before submission to the state boards of education.

F. Approval by State Boards. After the hearings a copy of the proposed articles of agreement, as revised, signed by a majority of the planning committee, shall be submitted by it to each state board. The state boards may (a) if they find that the articles of agreement are in accord with the standards set forth in this compact and in accordance with sound educational policy, approve the same as submitted, or (b) refer them back to the planning committee for further study. The planning committee may make additional revisions to the proposed articles of agreement to conform to the recommendations of the state boards. Further hearings on the proposed articles of agreement shall not be required unless ordered by the state boards in their discretion. In exercising such discretion, the state boards shall take into account whether or not the additional revisions are so substantial in nature as to require further presentation to the public. If both state boards find that the articles of agreement as further revised are in accord with the standards set forth in this compact and in accordance with sound educational policy, they shall approve the same. After approval by both state boards, each state board shall cause the articles of agreement to be submitted to the school boards of the several member districts in each state for acceptance by the member districts as provided in the following paragraph. At the same time, each state board shall designate the form of warrant, date, time, place, and period of voting for the special meeting of the member district to be held in accordance with the following paragraph.

G. Adoption by Member Districts. Upon receipt of written notice from the state board in its state of the approval of the articles of agreement by both state boards, the school board of each member district shall cause the articles of agreement to be filed with the member district clerk. Within ten days after receipt of such notice, the school board shall issue its warrant for a special meeting of the member district, the warrant to be in the form, and the meeting to be held at the time and place and in the manner prescribed by the state board. No approval of the superior court shall be required for such special school district meeting in New Hampshire. Voting shall be with the use of the check-list by a ballot substantially in the following form:

“Shall the school district accept the provisions of the New

Hampshire-Vermont Interstate School Compact providing for the establishment of an interstate school district, together with the school districts of ..... and ..... etc., in accordance with the provisions of the proposed articles of agreement filed with the school district (town, city or incorporated school district) clerk?"

Yes (    )                      No (    )

If the articles of agreement included the nomination of individual school directors, those nominated from each member district shall be included in the ballot and voted upon, such election to become effective upon the formation of an interstate school district.

If a majority of the voters present and voting in a member district vote in the affirmative, the clerk for such member district shall forthwith send to the state board in its state a certified copy of the warrant, certificate of posting, and minutes of the meeting of the district. If the state boards of both states find that a majority of the voters present and voting in each member district have voted in favor of the establishment of the interstate school district, they shall issue a joint certificate to that effect; and such certificate shall be conclusive evidence of the lawful organization and formation of the interstate school district as of its date of issuance.

H. Resubmission. If the proposed articles of agreement are adopted by one or more of the member districts but rejected by one or more of the member districts, the state boards may resubmit them, in the same form as previously submitted, to the rejecting member districts, in which case the school boards thereof shall resubmit them to the voters in accordance with paragraph G of this article. An affirmative vote in accordance therewith shall have the same effect as though the articles of agreement had been adopted in the first instance. In the alternative, the state boards may either (a) discharge the planning committee, or (b) refer the articles of agreement back for further consideration to the same or a reconstituted planning committee, which shall have all of the powers and duties as the planning committee as originally constituted.

**Article III**

**Powers of Interstate School Districts**

- A. Powers. Each interstate school district shall be a body corporate and politic, with power to:
  - a. Acquire, construct, extend, improve, staff, operate, manage and govern public schools within its boundaries;
  - b. To sue and be sued, subject to the limitations of liability hereinafter set forth;
  - c. To have a seal and alter the same at pleasure;

- d. To adopt, maintain and amend by-laws not inconsistent with this compact, and the laws of the two states;
- e. To acquire by purchase, condemnation, lease or otherwise, real and personal property for the use of its schools;
- f. To enter into contracts and incur debts;
- g. To borrow money for the purposes hereinafter set forth, and to issue its bonds or notes therefor;
- h. To make contracts with and accept grants and aid from the United States, the state of New Hampshire, the state of Vermont, any agency or municipality thereof, and private corporations and individuals for the construction, maintenance, reconstruction, operation and financing of its schools; and to do any and all things necessary in order to avail itself of such aid and cooperation;
- i. To employ such assistants, agents, servants, and independent contractors as it shall deem necessary or desirable for its purposes; and
- j. To take any other action which is necessary or appropriate in order to exercise any of the foregoing powers.

#### **Article IV**

##### **District Meetings**

A. General. Votes of the district shall be taken at a duly warned meeting held at any place in the district, at which all of the eligible legal voters of the member districts shall be entitled to vote, except as otherwise provided with respect to the election of directors.

B. Eligibility of Voters. Any resident who would be eligible to vote at a meeting of a member district being held at the same time, shall be eligible to vote at a meeting of the interstate district. The board of civil authority in each Vermont member district and the supervisors of the check-list of each New Hampshire district shall respectively prepare a check-list of eligible voters for each meeting of the interstate district in the same manner, and they shall have all the same powers and duties with respect to eligibility of voters in their districts as for a meeting of a member district.

C. Warning of Meetings. A meeting shall be warned by a warrant addressed to the residents of the interstate school district qualified to vote in district affairs, stating the time and place of the meeting and the subject matter of the business to be acted upon. The warrant shall be signed by the clerk and by a majority of the directors. Upon written application of ten or more voters in the district, presented to the directors or to one of them, at least twenty-five days before the day prescribed for an annual meeting, the directors shall insert in their warrant for such meeting any subject matter specified in such application.

D. Posting and Publication of Warrant. The directors shall cause



an attested copy of the warrant to be posted at the place of meeting, and a like copy at a public place in each member district at least twenty days (not counting the date of posting and the date of meeting) before the date of the meeting. In addition, the directors shall cause the warrant to be advertised in a newspaper of general circulation on at least one occasion, such publication to occur at least ten days (not counting the date of publication and not counting the date of the meeting) before the date of the meeting. Although no further notice shall be required, the directors may give such further notice of the meeting as they in their discretion deem appropriate under the circumstances.

E. Return of Warrant. The warrant with a certificate thereon, verified by oath, stating the time and place when and where copies of the warrant were posted and published, shall be given to the clerk of the interstate school district at or before the time of the meeting, and shall be recorded by him in the records of the interstate school district.

F. Organization Meeting. The commissioners, acting jointly, shall fix a time and place for a special meeting of the qualified voters within the interstate school district for the purpose of organization, and shall prepare and issue the warrant for the meeting after consultation with the interstate school district planning board and the members-elect, if any, of the interstate school board of directors. Such meeting shall be held within sixty days after the date of issuance of the certificate of formation, unless the time is further extended by the joint action of the state boards. At the organization meeting the commissioner of education of the state where the meeting is held, or his designate, shall preside in the first instance, and the following business shall be transacted:

a. A temporary moderator and a temporary clerk shall be elected from among the qualified voters who shall serve until a moderator and clerk respectively have been elected and qualified.

b. A moderator, a clerk, a treasurer, and three auditors shall be elected to serve until the next annual meeting and thereafter until their successors are elected and qualified. Unless previously elected, a board of school directors shall be elected to serve until their successors are elected and qualified.

c. The date for the annual meeting shall be established.

d. Provision shall be made for the payment of any organizational or other expense incurred on behalf of the district before the organization meeting, including the cost of architects, surveyors, contractors, attorneys, and educational or other consultants or experts.

e. Any other business, the subject matter of which has been included in the warrant, and which the voters would have had power to transact at an annual meeting.

G. Annual Meetings. An annual meeting of the district shall be held

between January fifteenth and June first of each year at such time as the interstate district may by vote determine. Once determined, the date of the annual meeting shall remain fixed until changed by vote of the interstate district at a subsequent annual or special meeting. At each annual meeting the following business shall be transacted:

a. Necessary officers shall be elected.

b. Money shall be appropriated for the support of the interstate district schools for the fiscal year beginning the following July first.

c. Such other business as may properly come before the meeting.

H. Special Meetings. A special meeting of the district shall be held whenever, in the opinion of the directors, there is occasion therefor, or whenever written application shall have been made by five per cent or more of the voters (based on the checklists as prepared for the last preceding meeting) setting forth the subject matter upon which such action is desired. A special meeting may appropriate money without compliance with RSA 33:8 or RSA 197:3 which would otherwise require the approval of the New Hampshire superior court.

I. Certification of Records. The clerk of an interstate school district shall have the power to certify the record of the votes adopted at an interstate school district meeting to the respective commissioners and state boards and (where required) for filing with a secretary of state.

J. Method of Voting at School District Meetings. Voting at meetings of interstate school districts shall take place as follows:

a. School Directors. A separate ballot shall be prepared for each member district, listing the candidates for interstate school director to represent such member district; and any candidates for interstate school director at large; and the voters of each member district shall register on a separate ballot their choice for the office of school director or directors. In the alternative, the articles of agreement may provide for the election of school directors by one or more of the member districts at an election otherwise held for the choice of school or other municipal officers.

b. Other Votes. Except as otherwise provided in the articles of agreement or this compact, with respect to all other votes (1) the voters of the interstate school district shall vote as one body irrespective of the member districts in which they are resident, and (2) a simple majority of those present and voting at any duly warned meeting shall carry the vote. Voting for officers to be elected at any meeting, other than school directors, shall be by ballot or voice, as the interstate district may determine, either in its articles of agreement or by a vote of the meeting.

## Article V

### Officers

A. Officers: General. The officers of an interstate school district shall

be a board of school directors, a chairman of the board, a vice-chairman of the board, a secretary of the board, a moderator, a clerk, a treasurer and three auditors. Except as otherwise specifically provided, they shall be eligible to take office immediately following their election; they shall serve until the next annual meeting of the interstate district and until their successors are elected and qualified. Each shall take oath for the faithful performance of his duties before the moderator, or a notary public or a justice of the peace of the state in which the oath is administered. Their compensation shall be fixed by vote of the district. No person shall be eligible to any district office unless he is a voter in the district. A custodian, school teacher, principal, superintendent or other employee of an interstate district acting as such shall not be eligible to hold office as a school director.

**B. Board of Directors.**

a. **How Chosen.** Each member district shall be represented by at least one resident on the board of school directors of an interstate school district. A member district shall be entitled to such further representation on the interstate board of school directors as provided in the articles of agreement as amended from time to time. The articles of agreement as amended from time to time may provide for school directors at large, as above set forth. No person shall be disqualified to serve as a member of an interstate board because he is at the same time a member of the school board of a member district.

b. **Term.** Interstate school directors shall be elected for terms in accordance with the articles of agreement.

c. **Duties of Board of Directors.** The board of school directors of an interstate school district shall have and exercise all of the powers of the district not reserved herein to the voters of the district.

d. **Organization.** The clerk of the district shall warn a meeting of the board of school directors to be held within ten days following the date of the annual meeting, for the purpose of organizing the board, including the election of its officer.

**C. Chairman of the Board.** The chairman of the board of interstate school directors shall be elected by the interstate board from among its members at its first meeting following the annual meeting. The chairman shall preside at the meetings of the board and shall perform such other duties as the board may assign to him.

**D. Vice-Chairman of the Board of Directors.** The vice-chairman of the interstate board shall be elected in the same manner as the chairman. He shall represent a member district in a state other than that represented by the chairman. He shall preside in the absence of the chairman and shall perform such other duties as may be assigned to him by the interstate board.

E. Secretary of the Board. The secretary of the interstate board shall be elected in the same manner as the chairman. Instead of electing one of its members, the interstate board may appoint the interstate district clerk to serve as secretary of the board in addition to his other duties. The secretary of the interstate board (or the interstate district clerk, if so appointed) shall keep the minutes of its meetings, shall certify its records, and perform such other duties as may be assigned to him by the board.

F. Moderator. The moderator shall preside at the district meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed. He may prescribe rules of procedure; but such rules may be altered by the district. He may administer oaths to district officers in either state.

G. Clerk. The clerk shall keep a true record of all proceedings at each district meeting, shall certify its records, shall make an attested copy of any records of the district for any person upon request and tender of reasonable fees therefor, if so appointed, shall serve as secretary of the board of school directors, and shall perform such other duties as may be required by custom or law.

H. Treasurer. The treasurer shall have custody of all of the monies belonging to the district and shall pay out the same only upon the order of the interstate board. He shall keep a fair and accurate account of all sums received into and paid from the interstate district treasury, and at the close of each fiscal year he shall make a report to the interstate district, giving a particular account of all receipts and payments during the year. He shall furnish to the interstate directors, statements from his books and submit his books and vouchers to them and to the district auditors for examination whenever so requested. He shall make all returns called for by laws relating to school districts. Before entering on his duties, the treasurer shall give a bond with sufficient sureties and in such sum as the directors may require. The treasurer's term of office is from July 1 to the following June 30.

I. Auditors. At the organization meeting of the district, three auditors shall be chosen, one to serve for a term of one year, one to serve for a term of two years, and one to serve for a term of three years. After the expiration of each original term, the successor shall be chosen for a three year term. At least one auditor shall be a resident of New Hampshire, and one auditor shall be a resident of Vermont. An interstate district may vote to employ a certified public accountant to assist the auditors in the performance of their duties. The auditors shall carefully examine the accounts of the treasurer and the directors at the close of each fiscal year, and at such other times whenever necessary, and report to the district whether the same are correctly cast and properly vouched.

J. Superintendent. The superintendent of schools shall be selected by a majority vote of the board of school directors of the interstate district with the approval of both commissioners.

K. Vacancies. Any vacancy among the elected officers of the district shall be filled by the interstate board until the next annual meeting of the district or other election, when a successor shall be elected to serve out the remainder of the unexpired term, if any. Until all vacancies on the interstate board are filled, the remaining members shall have full power to act.

## Article VI

### Appropriation and Apportionment of Funds

A. Budget. Before each annual meeting, the interstate board shall prepare a report of expenditures for the preceding fiscal year, an estimate of expenditures for the current fiscal year, and a budget for the succeeding fiscal year.

B. Appropriation. The interstate board of directors shall present the budget report at the annual meeting. The interstate district shall appropriate a sum of money for the support of its schools and for the discharge of its obligations for the ensuing fiscal year.

C. Apportionment of Appropriation. Subject to the provisions of article VII hereof, the interstate board shall first apply against such appropriation any income to which the interstate district is entitled, and shall then apportion the balance among the member districts in accordance with one of the following formulas as determined by the articles of agreement as amended from time to time:

a. All of such balance to be apportioned on the basis of the ratio that the fair market value of the taxable property in each member district bears to that of the entire interstate district; or

b. All of such balance to be apportioned on the basis that the average daily resident membership for the preceding fiscal year of each member district bears to that of the average daily resident membership of the entire interstate school district; or

c. A formula based on any combination of the foregoing factors. The term "fair market value of taxable property" shall mean the last locally assessed valuation of a member district in New Hampshire, as last equalized by the New Hampshire state tax commission.

The term "fair market value of taxable property" shall mean the equalized grand list of a Vermont member district, as determined by the Vermont department of taxes.

Such assessed valuation and grand list may be further adjusted (by elimination of certain types of taxable property from one or the other or

otherwise) in accordance with the articles of agreement, in order that the fair market value of taxable property in each state shall be comparable.

“Average daily resident membership” of the interstate district in the first instance shall be the sum of the average daily resident membership of the member districts in the grades involved for the preceding fiscal year where no students were enrolled in the interstate district schools for such preceding fiscal year.

D. Share of New Hampshire Member District. The interstate board shall certify the share of a New Hampshire member district of the total appropriation to the school board of each member district which shall add such sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district. The interstate district shall not set up its own capital reserve funds; but a New Hampshire member district may set up a capital reserve fund in accordance with RSA 35, to be turned over to the interstate district in payment of the New Hampshire member district's share of any anticipated obligations.

E. Share of Vermont Member District. The interstate board shall certify the share of a Vermont member district of the total appropriation to the school board of each member district which shall add such sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district.

## Article VII

### Borrowing

A. Interstate District Indebtedness. Indebtedness of an interstate district shall be a general obligation of the district and shall also be a joint and several general obligation of each member district, except that such obligations of the district and its member districts shall not be deemed indebtedness of any member district for the purposes of determining its borrowing capacity under New Hampshire or Vermont law. A member district which withdraws from an interstate district shall remain liable for indebtedness of the interstate district which is outstanding at the time of withdrawal and shall be responsible for paying its share of such indebtedness to the same extent as though it had not withdrawn.

B. Temporary Borrowing. The interstate board may authorize the borrowing of money by the interstate district (1) in anticipation of payments of operating and capital expenses by the member districts to the interstate district and (2) in anticipation of the issue of bonds or notes of the interstate district which have been authorized for the purpose of financing capital projects. Such temporary borrowing shall be evidenced

by interest bearing or discounted notes of the interstate district. The amount of notes issued in any fiscal year in anticipation of expense payments shall not exceed the amount of such payments received by the interstate district in the preceding fiscal year. Notes issued under this paragraph shall be payable within one year in the case of notes under clause (1) and three years in the case of notes under clause (2) from their respective dates, but the principal of and interest on notes issued for a shorter period may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt shall not exceed the maximum period permitted for the original loan.

C. **Borrowing for Capital Projects.** An interstate district may incur debt and issue its bonds or notes to finance capital projects. Such projects may consist of the acquisition or improvement of land and buildings for school purposes, the construction, reconstruction, alteration, or enlargement of school buildings and related school facilities, the acquisition of equipment of a lasting character and the payment of judgments. No interstate district may authorize indebtedness in excess of ten per cent of the total fair market value of taxable property in its member districts as defined in article VI of this compact. The primary obligation of the interstate district to pay indebtedness of member districts shall not be considered indebtedness of the interstate district for the purpose of determining its borrowing capacity under this paragraph. Bonds or notes issued under this paragraph shall mature in equal or diminishing installments of principal payable at least annually commencing no later than two years and ending not later than thirty years after their dates.

D. **Authorization Proceedings.** An interstate district shall authorize the incurring of debts to finance capital projects by a majority vote of the district passed at an annual or special district meeting. Such vote shall be taken by secret ballot after full opportunity for debate, and any such vote shall be subject to reconsideration and further action by the district at the same meeting or at an adjourned session thereof.

E. **Sale of Bonds and Notes.** Bonds and notes which have been authorized under this article may be issued from time to time and shall be sold at not less than par and accrued interest at public or private sale by the chairman of the school board and by the treasurer. Interstate district bonds and notes shall be signed by the said officers, except that either one of the two required signatures may be a facsimile. Subject to this compact and the authorizing vote, they shall be in such form, bear such rates of interest and mature at such times as the said officers may determine. Bonds shall, but notes need not, bear the seal of the interstate district, or a facsimile of such seal. Any bonds or notes of the interstate district which are properly executed by the said officers shall be valid and binding ac-

ording to their terms notwithstanding that before the delivery thereof such officers may have ceased to be officers of the interstate district.

F. **Proceeds of Bonds.** Any accrued interest received upon delivery of bonds or notes of an interstate district shall be applied to the payment of the first interest which becomes due thereon. The other proceeds of the sale of such bonds or notes, other than temporary notes, including any premiums, may be temporarily invested by the interstate district pending their expenditure; and such proceeds, including any income derived from the temporary investment of such proceeds, shall be used to pay the costs of issuing and marketing the bonds or notes and to meet the operating expenses or capital expenses in accordance with the purposes for which the bonds or notes were issued or, by proceedings taken in the manner required for the authorization of such debt, for other purposes for which such debt could be incurred. No purchaser of any bonds or notes of an interstate district shall be responsible in any way to see to the application of the proceeds thereof.

G. **State Aid Programs.** As used in this paragraph the term "initial aid" shall include New Hampshire and Vermont financial assistance with respect to a capital project, or the means of financing a capital project, which is available in connection with construction costs of a capital project or which is available at the time indebtedness is incurred to finance the project. Without limiting the generality of the foregoing definition, initial aid shall specifically include a New Hampshire state guarantee under RSA 195-B with respect to bonds or notes and Vermont construction aid under chapter 123 of 16 V.S.A. As used in this paragraph the term "long-term aid" shall include New Hampshire and Vermont financial assistance which is payable periodically in relation to capital costs incurred by an interstate district. Without limiting the generality of the foregoing definition, long-term aid shall specifically include New Hampshire school building aid under RSA 198 and Vermont school building aid under chapter 123 of Title 16 V.S.A. For the purpose of applying for, receiving and expending initial aid and long-term aid an interstate district shall be deemed a native school district by each state, subject to the following provisions. When an interstate district has appropriated money for a capital project, the amount appropriated shall be divided into a New Hampshire share and a Vermont share in accordance with the capital expense apportionment formula in the articles of agreement as though the total amount appropriated for the project was a capital expense requiring apportionment in the year the appropriation is made. New Hampshire initial aid shall be available with respect to the amount of the New Hampshire share as though it were authorized indebtedness of a New Hampshire cooperative school district. In the case of a state guarantee of interstate district bonds or notes under RSA 195-B, the interstate district shall be eligible to apply for and receive an unconditional state



guarantee with respect to an amount of its bonds or notes which does not exceed fifty per cent of the amount of the New Hampshire share as determined above. Vermont initial aid shall be available with respect to the amount of the Vermont share as though it were funds voted by a Vermont school district. Payments of Vermont initial aid shall be made to the interstate district, and the amount of any borrowing authorized to meet the appropriation for the capital project shall be reduced accordingly. New Hampshire and Vermont long-term aid shall be payable to the interstate district. The amounts of long-term aid in each year shall be based on the New Hampshire and Vermont shares of the amount of indebtedness of the interstate district which is payable in that year and which has been apportioned in accordance with the capital expense apportionment formula in the articles of agreement. The New Hampshire aid shall be payable at the rate of forty-five per cent, if there are three or less New Hampshire members in the interstate district, and otherwise it shall be payable as though the New Hampshire members were a New Hampshire cooperative school district. New Hampshire and Vermont long-term aid shall be deducted from the total capital expenses for the fiscal year in which the long-term aid is payable, and the balance of such expenses shall be apportioned among the member districts. Notwithstanding the foregoing provisions, New Hampshire and Vermont may at any time change their state school aid programs that are in existence when this compact takes effect and may establish new programs, and any legislation for these purposes may specify how such programs shall be applied with respect to interstate districts.

**H. Tax Exemption.** Bonds and notes of an interstate school district shall be exempt from local property taxes in both states, and the interest or discount thereon and any profit derived from the disposition thereof shall be exempt from personal income taxes in both states.

### **Article VIII**

#### **Taking Over of Existing Property**

**A. Power to Acquire Property of Member District.** The articles of agreement, or an amendment thereof, may provide for the acquisition by an interstate district from a member district of all or a part of its existing plant and equipment.

**B. Valuation.** The articles of agreement, or the amendment, shall provide for the determination of the value of the property to be acquired in one or more of the following ways:

a. A valuation set forth in the articles of agreement or the amendment.

b. By appraisal, in which case, one appraiser shall be appointed by each commissioner, and a third appraiser appointed by the first two appraisers.

C. Reimbursement to Member District. The articles of agreement shall specify the method by which the member district shall be reimbursed by the interstate district for the property taken over, in one or more of the following ways:

a. By one lump sum, appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

b. In installments over a period of not more than twenty years, each of which is appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

c. By an agreement to assume or reimburse the member district for all principal and interest on any outstanding indebtedness originally incurred by the member district to finance the acquisition and improvement of the property, each such installment to be appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

The member district transferring the property shall have the same obligation to pay to the interstate district its share of the cost of such acquisition, but may offset its right to reimbursement.

## Article IX

### Amendments to Articles of Agreement

A. Amendments to the articles of agreement may be adopted in the same manner provided for the adoption of the original articles of agreement, except that:

a. Unless the amendment calls for the addition of a new member district, the functions of the planning committee shall be carried out by the interstate district board of directors.

b. If the amendment proposes the addition of a new member district, the planning committee shall consist of all of the members of the interstate board and all of the members of the school board of the proposed new member district or districts. In such case the amendment shall be submitted to the voters at an interstate district meeting, at which an affirmative vote of two-thirds of those present and voting shall be required. The articles of agreement together with the proposed amendment shall be submitted to the voters of the proposed new member district at a meeting thereof, at which a simple majority of those present and voting shall be required.

c. In all cases an amendment may be adopted on the part of an interstate district upon the affirmative vote of voters thereof at a meeting voting as one body. Except where the amendment proposes the admission of a new member district, a simple majority of those present and voting shall be required for adoption.

d. No amendment to the articles of agreement may impair the rights of bond or note holders or the power of the interstate district to procure the means for their payment.

## Article X

### Applicability of New Hampshire Laws

A. General School Laws. With respect to the operation and maintenance of any school of the district located in New Hampshire, the provisions of New Hampshire law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

B. New Hampshire State Aid. A New Hampshire school district shall be entitled to receive an amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the New Hampshire member district, and as though the New Hampshire member district pupils attending the interstate school were attending a New Hampshire cooperative school district's school. The state aid shall be paid to the New Hampshire member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

C. Continued Existence of New Hampshire Member School District. A New Hampshire member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The New Hampshire member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor, unless the indebtedness is specifically assumed in accordance with the articles of agreement. Any trust funds or capital reserve funds and any property not taken over by the interstate district shall be retained by the New Hampshire member district and held or disposed of according to law. If all of the schools in a member district are incorporated into an interstate district, then no annual meeting of the member district shall be required unless the mem-

bers of the interstate board from the member district shall determine that there is occasion for such an annual meeting.

D. Suit and Service of Process in New Hampshire. The courts of New Hampshire shall have the same jurisdiction over the district as though a New Hampshire member district were a party instead of the interstate district. The service necessary to institute suit in New Hampshire shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who resides in New Hampshire, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

E. Employment. Each employee of an interstate district assigned to a school located in New Hampshire shall be considered an employee of a New Hampshire school district for the purpose of the New Hampshire teachers retirement system, the New Hampshire state employees retirement system, the New Hampshire workmen's compensation law and any other law relating to the regulation of employment or the provision of benefits for employees of New Hampshire school districts except as follows:

1. A teacher in a New Hampshire member district may elect to remain a member of the New Hampshire teachers retirement system, even though assigned to teach in an interstate school in Vermont.

2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers retirement system of either the state of New Hampshire or the state of Vermont but in no case will they participate in both retirement systems simultaneously.

3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedures of the retirement systems; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

## Article XI

### Applicability of Vermont Laws

A. General School Laws. With respect to the operation and maintenance of any school of the district located in Vermont, the provisions of Vermont law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of

the union superintendent shall be exercised and discharged by the interstate district superintendent.

B. Vermont State Aid. A Vermont school district shall be entitled to receive such amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the Vermont member district, and as though the Vermont member district pupils attending the interstate schools were attending a Vermont union school district's schools. Such state aid shall be paid to the Vermont member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

C. Continued Existence of Vermont Member School District. A Vermont member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The Vermont member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor. Any trust funds and any property not taken over shall be retained by the Vermont member school district and held or disposed of according to law.

D. Suit and Service of Process in Vermont. The courts of Vermont shall have the same jurisdiction over the districts as though a Vermont member district were a party instead of the interstate district. The service necessary to institute suit in Vermont shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who resides in Vermont, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

E. Employment. Each employee of an interstate district assigned to a school located in Vermont shall be considered an employee of a Vermont school district for the purpose of the state teachers' retirement system of Vermont, the state employees' retirement system, the Vermont workmen's compensation law, and any other law relating to the regulation of employment or the provision of benefits for employees of Vermont school districts except as follows:

1. A teacher in a Vermont member district may elect to remain a member of the state teachers' retirement system of Vermont, even though assigned to teach in an interstate school in New Hampshire.

2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of Vermont or the state of New Hampshire but in no case will they participate in both retirement systems simultaneously.

3. It shall be the duty of the superintendent in an interstate district to: a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedures of the retirement system; b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

## Article XII

### Adoption of Compact by Dresden School District

The Dresden School District, otherwise known as the Hanover-Norwich Interstate School District, authorized by New Hampshire Laws of 1961, chapter 116, and by the laws of Vermont, is hereby authorized to adopt the provisions of this compact and to become an interstate school district within the meaning hereof, upon the following conditions and subject to the following limitations:

a. Articles of agreement shall be prepared and signed by a majority of the directors of the interstate school district.

b. The articles of agreement shall be submitted to an annual or special meeting of the Dresden district for adoption.

c. An affirmative vote of two-thirds of those present and voting shall be required for adoption.

d. Nothing contained therein, or in this compact, as it affects the Dresden School District shall affect adversely the rights of the holders of any bonds or other evidences of indebtedness then outstanding, or the rights of the district to procure the means for payment thereof previously authorized.

e. The corporate existence of the Dresden School District shall not be terminated by such adoption of articles of amendment, but shall be deemed to be so amended that it shall thereafter be governed by the terms of this compact.

**Article XIII****Miscellaneous Provisions**

A. **Studies.** Insofar as practicable, the studies required by the laws of both states shall be offered in an interstate school district.

B. **Textbooks.** Textbooks and scholar's supplies shall be provided at the expense of the interstate district for pupils attending its schools.

C. **Transportation.** The allocation of the cost of transportation in an interstate school district, as between the interstate district and the member districts, shall be determined by the articles of agreement.

D. **Location of Schoolhouses.** In any case where a new schoolhouse or other school facility is to be constructed or acquired, the interstate board shall first determine whether it shall be located in New Hampshire or in Vermont. If it is to be located in New Hampshire, RSA 199, relating to schoolhouses, shall apply. If it is to be located in Vermont, the Vermont law relating to schoolhouses shall apply.

E. **Fiscal Year.** The fiscal year of each interstate district shall begin on July first of each year and end on June thirtieth of the following year.

F. **Immunity from Tort Liability.** Notwithstanding the fact that an interstate district may derive income from operating profit, fees, rentals, and other services, it shall be immune from suit and from liability for injury to persons or property and for other torts caused by it or its agents, servants or independent contractors, except insofar as it may have undertaken such liability under RSA 281:7 relating to workmen's compensation, or RSA 412:3 relating to the procurement of liability insurance by a governmental agency and except insofar as it may have undertaken such liability under 21 V.S.A. Section 621 relating to workmen's compensation or 29 V.S.A. Section 1403 relating to the procurement of liability insurance by a governmental agency.

G. **Administrative Agreement Between Commissioners of Education.** The commissioners of education of New Hampshire and Vermont may enter into one or more administrative agreements prescribing the relationship between the interstate districts, member districts, and each of the two state departments of education, in which any conflicts between the two states in procedure, regulations, and administrative practices may be resolved.

H. **Amendments.** Neither state shall amend its legislation or any agreement authorized thereby without the consent of the other in such manner as to substantially adversely affect the rights of the other state or its people hereunder, or as to substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness then outstanding or the rights of an interstate school district to procure the means for pay-

ment thereof. Subject to the foregoing, any reference herein to other statutes of either state shall refer to such statute as it may be amended or revised from time to time.

I. Separability. If any of the provisions of this compact, or legislation enabling the same, shall be held invalid or unconstitutional in relation to any of the applications thereof, such invalidity or unconstitutionality shall not affect other applications thereof or other provisions thereof; and to this end the provisions of this compact are declared to be severable.

J. Inconsistency of Language. The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the two states.

### Article XIV

#### Effective Date

A. This compact shall become effective when a bill of the Vermont general assembly which incorporates the compact becomes a law in Vermont and when it is approved by the United States Congress.

**356:2 Action Authorized.** Before the compact inserted by section 1 of this act becomes effective the commissioner of education of this state may act either separately or jointly with the commissioner of education of Vermont to take whatever steps are necessary to get the compact approved by the United States Congress as required by the provisions of the compact, and to do any other act consistent with the general policy of the compact that is necessary to make preparations for the proper administration of the compact.

**356:3 Effective Date.** The provisions of section 2 of this act shall take effect sixty days after its passage. The provisions of section 1 shall take effect as provided by article XIV of the compact.

[Approved July 3, 1967.]

[Effective date — section 2 effective September 1, 1967; remainder of act as specified.]

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### CHAPTER 357.

#### AN ACT TO ESTABLISH A MOTOR VEHICLE CERTIFICATE OF TITLE AND ANTI-THEFT ACT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**357:1 Certificates of Title, Motor Vehicles.** Amend RSA by inserting after chapter 269 the following new chapter:



**Chapter 269-A****Uniform Motor Vehicle Certificate of Title and Anti-Theft Act**

**269-A:1 Definitions.** Except when the context otherwise requires, as used in this chapter:

I. "Dealer" means a person engaged in the business of buying, selling or exchanging vehicles as defined in RSA 259:1, VI.

II. "Director" means the director of the division of motor vehicles of the department of safety.

III. "Identification number" means the numbers and letters, if any, on a vehicle designated by the director for the purpose of identifying the vehicle.

IV. "Implement of husbandry" means a vehicle registered as a farm vehicle or a vehicle designated and adapted exclusively for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry.

V. "Lienholder" means a person, holding a security interest in a vehicle.

VI. "Owner" means a person, other than a lienholder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

VII. "Security agreement" means an interest in a vehicle reserved or created by agreement and which secures payment or performance of an obligation. The term includes the interest of a lessor under a lease intended as security.

VIII. A security interest is "perfected" when it is valid against third parties generally, subject only to specific statutory exceptions.

IX. "Special mobile equipment" means a vehicle not designed for the transportation of persons or property upon a highway and only incidentally operated or moved over a highway, including but not limited to ditch-digging apparatus, well-boring apparatus and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth moving carryalls and scrapers, power shovels and drag lines, and self-propelled cranes and earth moving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, cranes or shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

X. "State" means a state, territory or possession of the United States, the District of Columbia, the commonwealth of Puerto Rico or a province of the Dominion of Canada.

XI. "Vehicle" means a motor vehicle as defined by RSA 259:1, XXXIV.

XII. "Manufacturer's or importer's certificate of origin" means the original written instrument or document required to be executed and delivered by the manufacturer to his agent or dealer, or a person purchasing direct from the manufacturer, certifying the origin of the vehicle.

**269-A:2 Exempted Vehicles.**

I. No certificate of title need be obtained for:

(a) a vehicle owned by the United States, unless it is registered in this state;

(b) a vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration; or a vehicle used by a manufacturer solely for testing;

(c) a vehicle owned by a nonresident of this state and not required by law to be registered in this state;

(d) a vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state;

(e) a vehicle moved solely by animal power;

(f) an implement of husbandry;

(g) special mobile equipment;

(h) a self-propelled wheel chair or invalid tricycle.

II. Sections 31 to 35 inclusive of this chapter do not apply to:

(a) a vehicle moved solely by animal power;

(b) an implement of husbandry;

(c) special mobile equipment;

(d) a self-propelled wheel chair or invalid tricycle.

**269-A:3 Certain Liens and Security Interests not Affected.** This chapter does not apply to or affect:

I. A lien given by statute or rule of law to a supplier of services or materials for the vehicle;

II. A lien given by statute to the United States, this state or any political subdivision of this state;

III. A security interest in a vehicle created by a manufacturer or dealer who holds the vehicle for sale, but a buyer in the ordinary course of trade from the manufacturer or dealer takes free of the security interest.

**269-A:4 Certificate of Origin.** When a new vehicle is delivered in this state by the manufacturer to his agent or his franchised dealer, the manufacturer shall execute and deliver to his agent or his franchised dealer a certificate of origin in the form prescribed by the director, and no person shall bring into this state any new vehicle unless he has in his possession the certificate of origin as prescribed by the director. The certificate of origin shall contain the manufacturer's vehicle identification number of the motor vehicle, the name of the manufacturer, model year, year of manufacture, number of cylinders, a general description of the body, if any, and the type of model. When a new vehicle is sold in this state, the manufacturer, his agent or his franchised dealer shall execute and deliver to the purchaser, in case of an absolute sale, assignment of the certificate of origin, or, if other than absolute sale, assignment of the certificate of origin subject to contract, signed or executed by the manufacturer, his agent or his dealer, with the genuine names and business or residence addresses of both stated thereon, and certified to have been executed with full knowledge of the contents and with the consent of both purchaser and seller.

#### **Certificate of Title**

**269-A:5 When Certificate Required.** Except as provided in section 2, the provisions of this chapter shall apply to all motor vehicles when a change of registration is required under the provisions of RSA 260 by reason of a sale for consideration. The director shall not require an application for a certificate of title upon the renewal of the registration of a vehicle. The director shall note on the face of the registration of each vehicle for which a certificate of title has been issued a statement to that effect.

**269-A:6 Implement of Husbandry or Special Mobile Equipment.** The owner of an implement of husbandry or special mobile equipment may apply for and obtain a certificate of title on it. All of the provisions of this subdivision are applicable to a certificate of title so issued, except that a person who receives a transfer of an interest in the vehicle without knowledge of the certificate of title is not prejudiced by reason of the existence of the certificate, and the perfection of a security interest under this chapter is not effective until the lien holder has complied with the provisions of applicable law which otherwise relate to the perfection of security interests in personal property.

#### **269-A:7 Application for Certificate.**

I. The application for the first certificate of title of a vehicle in this state shall be made by the owner to the director on the form he prescribes and shall contain:

- (a) the name, residence and mail address of the owner;
- (b) a description of the vehicle including, so far as the following

data exists, its make, model, identification number, model year, year of manufacture, type of body, the number of cylinders and whether new or used;

(c) the date of purchase by the applicant, the name and address of the person from whom the vehicle was acquired and the names and addresses of any lienholders in the order of their priority and the dates of their security agreements and, if a new vehicle, the application shall be accompanied by the manufacturer's or importer's certificate of origin; and

(d) any further information the director reasonably requires to identify the vehicle and to enable him to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the vehicle.

II. If the application refers to a vehicle purchased from a dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of his security agreement and be signed by the dealer as well as the owner, and the dealer shall promptly mail or deliver the application to the director.

III. If the application refers to a vehicle last previously registered in another state or country, the application shall contain or be accompanied by:

(a) any certificate of title issued by the other state or country;

(b) any other information and documents the director reasonably requires to establish the ownership of the vehicle and the existence or nonexistence of security interests in it; and

(c) the certificate of a person authorized by the director that the identification number of the vehicle has been inspected and found to conform to the description given in the application, or any other proof of the identity of the vehicle the director reasonably requires.

IV. The director shall furnish every town clerk with forms for application for the first certificate of title and shall have such forms available at the office of the division, said forms shall be prepared by typewriting in the required information as supplied by the owner either by an employee of the division or by a town clerk. For the preparation of such form as herein provided a town clerk shall be paid by the owner a fee of one dollar for each application which shall be in addition to any other fees required under the provisions of this chapter.

**269-A:8 Director to Check Identification Number.** The director upon receiving application for a first certificate of title, shall check the identification number of the vehicle shown in the application against the records of vehicles required to be maintained by section 9 and

against the record of stolen and converted vehicles required to be maintained by section 32.

**269-A:9 Issuance of Certificate; Records.**

I. The director shall file each application received and, when satisfied as to its genuineness and regularity and that the applicant is entitled to the issuance of a certificate of title, shall issue a certificate of title of the vehicle.

II. The director shall maintain at his central office a record of all certificates of title issued by him;

- (a) under a distinctive title number assigned to the vehicle;
- (b) under the identification number of the vehicle;
- (c) alphabetically, under the name of the owner; and
- (d) in the discretion of the director, by any other method he determines.

**269-A:10 Information in Certificate.**

I. Each certificate of title issued by the director shall contain:

- (a) the date issued;
- (b) the name and address of the owner;
- (c) the names and addresses of any lienholders, in the order of priority as shown on the application, or, if the application is based on a certificate of title, as shown on the certificate;
- (d) the title number assigned to the vehicle;
- (e) a description of the vehicle including, so far as the following data exists, its make, model, identification number, model year, year of manufacture, type of body, number of cylinders, whether new or used, and if a new vehicle, the date of the first sale of the vehicle for use; and
- (f) any other data the director prescribes.

II. Unless a bond is filed as provided in section 12, a distinctive certificate of title shall be issued for a vehicle last previously registered in another state or country the laws of which do not require that lienholders be named on a certificate of title to perfect their security interests. The certificate shall contain the legend "This vehicle may be subject to an undisclosed lien" and may contain any other information the director prescribes. If no notice of a security interest in the vehicle is received by the director within four months from the issuance of the distinctive certificate of title, he shall, upon application and surrender of the distinctive certificate, issue a certificate of title in ordinary form.

III. The certificate of title shall contain forms for assignment and warranty of title by the owner and for assignment and warranty of title by a dealer, and may contain forms for applications for a certificate of

title by a transferee, the naming of a lienholder and the assignment or release of the security interest of a lienholder.

IV. A certificate of title issued by the director is prima facie evidence of the facts appearing on it.

V. A certificate of title for a vehicle is not subject to garnishment, attachment, execution or other judicial process, but this paragraph does not prevent a lawful levy upon the vehicle.

**269-A:11 Mailing of Certificate.** The certificate of title shall be mailed to the first lienholder named in it or, if none, to the owner.

**269-A:12 Withholding of Certificate; Bond Requirement.** If the director is not satisfied as to the ownership of the vehicle or that there are no undisclosed security interests in it, the director may register the vehicle but shall either:

I. Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the director as to the applicant's ownership of the vehicle and that there are no undisclosed security interests in it; or

II. As a condition of issuing a certificate of title, require the applicant to file with the director a bond in the form prescribed by the director and executed by the applicant, and either accompanied by the deposit of cash with the director or also executed by a person authorized to conduct a surety business in this state. The bond shall be in an amount equal to one and one-half times the value of the vehicle as determined by the director and conditioned to indemnify any prior owner and lienholder and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vehicle or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vehicle. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of three years or prior thereto if the vehicle is no longer registered in this state and the currently valid certificate of title is surrendered to the director, unless the director has been notified of the pendency of an action to recover the bond.

**269-A:13 Refusal of Certificate.** The director shall refuse issuance of a certificate of title if any required fee is not paid or if he has reasonable grounds to believe that:

I. The applicant is not the owner of the vehicle;

II. The application contains a false or fraudulent statement; or

III. The applicant fails to furnish required information or documents or any additional information the director reasonably requires.

#### **269-A:14 Duplicate Certificate.**

I. If a certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the first lienholder or, if none, the owner or legal representative of the owner named in the certificate, as shown by the records of the director, shall promptly make application for and may obtain a duplicate upon furnishing information satisfactory to the director. The duplicate certificate of title shall contain the legend "This is a duplicate certificate and may be subject to the rights of a person under the original certificate." It shall be mailed to the first lienholder named in it, or, if none, to the owner.

II. The director shall not issue a new certificate of title to a transferee upon application made on a duplicate until fifteen days after receipt of the application.

III. A person recovering an original certificate of title for which a duplicate has been issued shall promptly surrender the original certificate to the director.

#### **269-A:15 Transfer of Interest in Vehicle.**

I. If an owner transfers his interest in a vehicle, other than by the creation of a security interest, he shall, at the time of delivery of the vehicle, execute an assignment and warranty of title to the transferee in the space provided therefor on the certificate or as the director prescribes, and cause the certificate and assignment to be mailed or delivered to the transferee or to the director.

II. Upon request of the owner or transferee, a lienholder in possession of the certificate of title shall, unless the transfer was a breach of his security agreement, either deliver the certificate to the transferee for delivery to the director or, upon receipt from the transferee of the owner's assignment, the transferee's application for a new certificate and the required fee, mail or deliver them to the director. The delivery of the certificate does not affect the rights of the lienholder under his security agreement.

III. If a security interest is reserved or created at the time of the transfer, the certificate of title shall be retained by or delivered to the person who becomes the lienholder, and the parties shall comply with the provisions of section 22.

IV. Except as provided in section 16 and as between the parties, a transfer by an owner is not effective until the provisions of this section and section 18 have been complied with; however, an owner who has

delivered possession of the vehicle of the transferee and has complied with the provisions of this section and section 18 requiring action by him is not liable as owner for any damages thereafter resulting from operation of the vehicle.

**269-A:16 Resale by a Dealer.** If a dealer buys a vehicle and holds it for resale and procures the certificate of title from the owner or the lienholder within ten days after delivery to him of the vehicle, he need not send the certificate to the director but, upon transferring the vehicle to another person other than by the creation of a security interest, shall promptly execute the assignment and warranty of title by a dealer, showing the names and addresses of the transferee and of any lienholder holding a security interest created or reserved at the time of the resale and the date of his security agreement, in the spaces provided therefor on the certificate or as the director prescribes, and mail or deliver the certificate to the director with the transferee's application for a new certificate.

**269-A:17 Involuntary Transfers.**

I. If the interest of an owner in a vehicle passes to another other than by voluntary transfer, the transferee shall, except as provided in paragraph II, promptly mail or deliver to the director the last certificate of title, if available, proof of the transfer, and his application for a new certificate in the form the director prescribes.

II. If the interest of the owner is terminated or the vehicle is sold under a security agreement by a lienholder named in the certificate of title, the transferee shall promptly mail or deliver to the director the last certificate of title, his application for a new certificate in the form the director prescribes, and an affidavit made by or on behalf of the lienholder that the vehicle was repossessed and that the interest of the owner was lawfully terminated or sold pursuant to the terms of the security agreement. If the lienholder succeeds to the interest of the owner and holds the vehicle for resale, he need not secure a new certificate of title but, upon transfer to another person, shall promptly mail or deliver to the transferee or to the director the certificate, affidavit and other documents required to be sent to the director by the transferee.

III. A person holding a certificate of title whose interest in the vehicle has been extinguished or transferred other than by voluntary transfer shall mail or deliver the certificate to the director upon request of the director. The delivery of the certificate pursuant to the request of the director does not affect the rights of the person surrendering the certificate, and the action of the director issuing a new certificate of title as provided herein is not conclusive upon the rights of an owner or lienholder named in the old certificate.



**269-A:18 Fee to Accompany Applications.**

I. An application for a certificate of title shall be accompanied by the required fee when mailed or delivered to the director.

II. An application for the naming of a lienholder or his assignee on a certificate of title shall be accompanied by the required fee when mailed or delivered to the director.

**269-A:19 Issuance of New Certificate.**

I. The director, upon receipt of a properly assigned certificate of title, with an application for a new certificate of title, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner and mail it to the first lienholder named in it or, if none, to the owner.

II. The director upon receipt of an application for a new certificate of title by a transferee other than by voluntary transfer, with proof of the transfer, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner. If the outstanding certificate of title is not delivered to him, the director shall make demand therefor from the holder thereof.

III. The director shall file and retain for five years every surrendered certificate of title, the file to be maintained so as to permit the tracing of title of the vehicle designated therein.

**269-A:20 Dismantling or Destruction of Vehicle.** Any owner who scraps, dismantles or destroys a vehicle and any person who purchases a vehicle as scrap or to be dismantled or destroyed shall immediately cause the certificate of title to be mailed or delivered to the director for cancellation. A certificate of title of the vehicle shall not again be issued.

**269-A:21 Perfecting of Security Interest.**

I. Unless excepted by section 3 a security interest in a vehicle of a type for which a certificate of title is required is not valid against creditors of the owner or subsequent transferees or lienholders of the vehicle unless perfected as provided in this chapter.

II. A security interest is perfected by the delivery to the director of the existing certificate of title, if any, an application for a certificate of title containing the name and address of the lienholder and the date of his security agreement and the required fee. It is perfected as of the time of its creation if delivery is completed within ten days thereafter, otherwise as of the time of the delivery.

III. If a vehicle is subject to a security interest when brought into this state, the validity of the security interest is determined by law of

the jurisdiction where the vehicle was when the security interest attached, subject to the following:

(a) if the parties understood at the time the security interest attached that the vehicle would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity of the security interest in this state is determined by the law of this state.

(b) if the security interest was perfected under the law of the jurisdiction where the vehicle was when the security interest attached, the following rules apply:

(1) if the name of the lienholder is shown on an existing certificate of title issued by that jurisdiction, his security interest continues perfected in this state:

(2) if the name of the lienholder is not shown on an existing certificate of title issued by that jurisdiction, the security interest continues perfected in this state for four months after a first certificate of title of the vehicle is issued in this state, and also thereafter if, within the four-month period, it is perfected in this state. The security interest may also be perfected in this state after the expiration of the four-month period; in that case perfection dates from the time of perfection in this state.

(c) if the security interest was not perfected under the law of the jurisdiction where the vehicle was when the security interest attached, it may be perfected in this state; in that case, perfection dates from the time of perfection in this state.

(d) a security interest may be perfected under part (2) of subparagraph (b) of this paragraph or subparagraph (c) of this paragraph either as provided in paragraph II or by the lienholder delivering to the director a notice of security interest in the form the director prescribes and the required fee.

**269-A:22 Duties on Creation of Security Interest.** If an owner creates a security interest in a vehicle:

I. The owner shall immediately execute the application, in the space provided therefor on the certificate of title or on a separate form the director prescribes, to name the lienholder on the certificate, showing the name and address of the lienholder and the date of his security agreement, and cause the certificate, the application and the required fee to be delivered to the lienholder.

II. The lienholder shall immediately cause the certificate, the application and the required fee to be mailed or delivered to the director.

III. Upon request of the owner or subordinate lienholder, a lienholder in possession of the certificate of title shall either mail or deliver the certificate to the subordinate lienholder for delivery to the director

or, upon receipt from the subordinate lienholder of the owner's application and the required fee, mail or deliver them to the director with the certificate. The delivery of the certificate does not affect the rights of the first lienholder under his security agreement.

IV. Upon receipt of the certificate of title, the application and the required fee, the director shall either endorse the certificate or issue a new certificate containing the name and address of the new lienholder, and mail the certificate to the first lienholder named in it.

**269-A:23 Assignment of Security Interest.**

I. A lienholder may assign, absolutely or otherwise, his security interest in the vehicle to a person other than the owner without affecting the interest of the owner or the validity of the security interest, but any person without notice of the assignment is protected in dealing with the lienholder as the holder of the security interest and the lienholder remains liable for any obligations as lienholder until the assignee is named as lienholder on the certificate.

II. The assignee may, but need not to perfect the assignment, have the certificate of title endorsed or issued with the assignee named as lienholder, upon delivering to the director the certificate and an assignment by the lienholder named in the certificate in the form the director prescribes.

**269-A:24 Release of Security Interest.**

I. Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of the lienholder, he shall, within ten days after demand and, in any event, within thirty days, execute a release of his security interest, in the space provided therefor on the certificate or as the director prescribes, and mail or deliver the certificate and release to the next lienholder named therein, or, if none, to the owner or any person who delivers to the lienholder an authorization from the owner to receive the certificate. The owner, other than a dealer holding the vehicle for resale, shall promptly cause the certificate and release to be mailed or delivered to the director, who shall release the lienholder's rights on the certificate or issue a new certificate.

II. Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of a prior lienholder, the lienholder whose security interest is satisfied shall within ten days after demand and, in any event, within thirty days execute a release in the form the director prescribes and deliver the release to the owner or any person who delivers to the lienholder an authorization from the owner to receive it. The lienholder in possession of the certificate of title shall either deliver the certificate to the owner, or the person authorized by him, for delivery to the director or, upon receipt of the release, mail or

deliver it with the certificate to the director, who shall release the subordinate lienholder's rights on the certificate or issue a new certificate.

**269-A:25 Lienholder to Furnish Information Concerning the Security Agreement.** A lienholder named in a certificate of title shall, upon written request of the owner or of another lienholder named on the certificate, disclose any pertinent information as to his security agreement and the indebtedness secured by it.

**269-A:26 Method of Perfecting Interest Exclusive.** The method provided in this chapter of perfecting and giving notice of security interests subject to this chapter is exclusive. Security interests subject to this chapter are hereby exempted from the provisions of law which otherwise require or relate to the filing of instruments creating or evidencing security interests.

**269-A:27 Suspension or Revocation of Certificate.**

I. The director shall suspend or revoke a certificate of title, upon notice and reasonable opportunity to be heard in accordance with section 30, if he finds:

(a) the certificate of title was fraudulently procured or erroneously issued, or

(b) the vehicle has been scrapped, dismantled, or destroyed.

II. Suspension or revocation of a certificate of title does not, in itself, affect the validity of a security interest noted on it.

III. When the director suspends or revokes a certificate of title, the owner or person in possession of it shall, immediately upon receiving notice of the suspension or revocation, mail or deliver the certificate to the director.

IV. The director may seize and impound any certificate of title which has been suspended or revoked.

**269-A:28 Fees.**

I. The director shall be paid the following fees:

(a) for filing an application for a first certificate of title, two dollars;

(b) for each security interest noted upon a certificate of title, one dollar;

(c) for a certificate of title after a transfer, two dollars;

(d) for each assignment of a security interest noted upon a certificate of title, one dollar;

(e) for a duplicate certificate of title, three dollars;

(f) for an ordinary certificate of title issued upon surrender of a distinctive certificate, one dollar;

(g) for filing a notice of security interest, one dollar;

(h) for a certificate of search of the records of the motor vehicle department, for each name or identification number searched against, five dollars; and

(i) for filing an assignment of a security interest, one dollar.

II. If an application, certificate of title or other document required to be mailed or delivered to the director under any provision of this chapter is not delivered to the director within ten days from the time it is required to be mailed or delivered, the director shall collect, as a penalty, an amount equal to the fee required for the transaction.

**269-A:29 Powers and Duties of Director.**

I. The director shall prescribe and provide suitable forms of applications, certificates of title, notices of security interests and all other notices and forms necessary to carry out the provisions of this chapter.

II. The director may:

(a) make necessary investigations to procure information required to carry out the provisions of this chapter;

(b) adopt and enforce reasonable rules to carry out the provisions of this chapter;

(c) assign a new identification number to a vehicle if it has none, or its identification number is destroyed or obliterated, or its motor is changed, and shall either issue a new certificate of title showing the new identification number or make an appropriate endorsement on the original certificate.

**269-A:30 Hearing.** A person aggrieved by an act or omission to act of the director under this chapter is entitled, upon request, to rehearing and appeal in accordance with RSA 541.

**Offenses and Anti-Theft Provisions**

**269-A:31 Penalties.**

I. A person who, with fraudulent intent:

(a) alters, forges or counterfeits a certificate of title;

(b) alters or forges an assignment of a certificate of title, or an assignment or release of a security interest, on a certificate of title or a form the director prescribes;

(c) has possession of or uses a certificate of title knowing it to have been altered, forged or counterfeited; or

(d) uses a false or fictitious name or address, or makes a material false statement, or fails to disclose a security interest, or conceals any other material fact, in an application for a certificate of title, shall be fined not less than five hundred dollars or more than one thousand dollars or be imprisoned not less than one year or more than five years or be both fined and imprisoned.

II. A person who:

(a) with fraudulent intent, permits another, not entitled thereto, to use or have possession of a certificate of title;

(b) wilfully fails to mail or deliver a certificate of title or application therefor to the director within ten days after the time required by this chapter;

(c) wilfully fails to deliver to his transferee a certificate of title within ten days after the time required by this chapter; or

(d) wilfully violates any provision of this chapter, except as provided in paragraph I, shall be fined not more than five hundred dollars or imprisoned not more than six months or both.

**269-A:32 Report of Theft, Recovery of Unclaimed Vehicle.**

I. A police officer, sheriff, or constable who learns of the theft of a vehicle not since recovered, or of the recovery of a vehicle whose theft or conversion he knows or has reason to believe has been reported to the director, shall forthwith report the theft or recovery to the director.

II. An owner or a lienholder may report the theft of a vehicle, or its conversion if a crime, to the director, but the director may disregard the report of a conversion unless a warrant has been issued for the arrest of a person charged with the conversion. A person who has so reported the theft or conversion of a vehicle shall, forthwith after learning of its recovery, report the recovery to the director.

III. An operator of a place of business for garaging, repairing, parking or storing vehicles for the public, in which a vehicle remains unclaimed for a period of thirty days, shall within five days after the expiration of that period, report the vehicle as unclaimed to the director. A vehicle left by its owner whose name and address are known to the operator or his employee is not considered unclaimed. A person who fails to report a vehicle as unclaimed in accordance with this subsection forfeits all claims and liens for its garaging, parking or storing and shall be fined not more than twenty-five dollars for each day his failure to report continues.

IV. The director shall maintain and appropriately index weekly and cumulative public records of stolen, converted, recovered and unclaimed vehicles reported to him pursuant to this section. The director may make and distribute copies of the weekly records so maintained to police officers upon request without fee and to others for the fee, if any, the director prescribes.

V. The director may suspend the registration of a vehicle whose theft or conversion is reported to him pursuant to this section; until the director learns of its recovery or that the report of its theft or conversion was erroneous, he shall not issue a certificate of title for the vehicle.

**269-A:33 False Report.** A person who knowingly makes a false report of the theft or conversion of a vehicle to a police officer or to the director shall be fined not more than five hundred dollars or imprisoned not more than six months, or both.

**269-A:34 Impeachment of Credibility of Defendant.** In a prosecution for a crime specified in this chapter, a certified copy of a conviction under paragraph I of section 31 is admissible to impeach the credibility of the defendant.

**269-A:35 Penalties Additional to Other Statutes.** The penal provisions of this chapter in no way repeal or modify any existing provision of criminal law but are additional and supplementary thereto.

### **Previously Registered Vehicles**

**269-A:36 Definition.** A "previously registered vehicle" means a vehicle registered in this state on September 1, 1968, or a vehicle whose last registration before September 1, 1968 was in this state.

**269-A:37 Exemption of Previously Registered Vehicle.** Sections 5 to 30 inclusive do not apply to a previously registered vehicle until:

I. There is a change of registration by reason of a sale for consideration; or

II. The director issues a certificate of title for the vehicle.

**269-A:38 Issuance of Distinctive Certificate.** If the director is not satisfied that there are no undisclosed security interests, created before September 1, 1968, in a previously registered vehicle, he may, in addition to his options under section 12, issue a distinctive certificate of title of the vehicle containing the legend "This vehicle may be subject to an undisclosed lien" and any other information the director prescribes.

**269-A:39 Perfection of Security Interest.** A security interest in a previously registered vehicle for which no certificate of title or application for a certificate is required is perfected by the delivery to the director of a notice of security interest in the form the director prescribes and the required fee. It is perfected as of the time of its creation if the delivery is completed within ten days thereafter, otherwise as of the time of delivery. A notice of a security interest created or reserved before September 1, 1968, need be executed by the lienholder only.

**269-A:40 Perfection Under Other Statute.** If a security interest in a previously registered vehicle is perfected under any other applicable law of this state on September 1, 1968, the security interest continues perfected until its perfection lapses under the law under which it was perfected.

**269-A:41 Filing of Notices of Security Interest.**

I. The director shall file each notice of security interest received by him with the required fee and maintain a record of all notices of security interests filed by him:

- (a) alphabetically, under the name of the owner;
- (b) under the identifying number of the vehicle; and
- (c) in the discretion of the director, by any other method he determines.

II. The director need not maintain, in the record provided for in paragraph I, any reference to a security interest in a previously registered vehicle after the director files a notice of release of the security interest or issues a certificate of title of the vehicle containing the name of the lienholder.

III. The director, before issuing or reissuing a certificate of title, shall check the name of the owner and the identification number of the vehicle against the record provided for in paragraph I.

**269-A:42 Assignment of Security Interest.**

I. A lienholder may assign, absolutely or otherwise, his security interest in the vehicle to a person other than the owner without affecting the interest of the owner or the validity of the security interest, but any person without notice of the assignment is protected in dealing with the lienholder as the holder of the security interest and the lienholder remains liable for any obligations as lienholder until an assignment by the lienholder is delivered to the director as provided in this section.

II. The assignee may, but need not to perfect the assignment, deliver to the director an assignment by the lienholder in the form the director prescribes with the required fee.

III. The director shall file each assignment received by him with the required fee and note the assignee as lienholder upon the record of notice of security interests maintained by the director pursuant to section 41 of this chapter.

**269-A:43 Release of Interest.**

I. If the security interest of a lienholder named in a notice of security interest filed by the director is satisfied, he shall, within ten days after demand or, in any event, within thirty days, execute a release of the security interest in the form the director prescribes and mail or deliver the release to the director.

II. Upon receipt of the release of security interest the director shall file the release and note it upon the record of notices of security interests maintained by him pursuant to section 41 of this chapter.

**269-A:44 Lienholder to Furnish Information Concerning Security**



**Agreement.** A lienholder named in a notice of security interest filed by the director shall, upon written request of the owner or of another lienholder, disclose any pertinent information as to his security agreement and the indebtedness secured by it.

### Bureau and Personnel

**269-A:45 Bureau Established.** There is hereby established in the division of motor vehicles of the department of safety a bureau of certificate of title which under the direction of the director shall carry out the work and purposes of this chapter.

**269-A:46 Staff of Bureau.** The staff of the bureau of certificate of title shall consist of the following positions: one supervisor, one assistant supervisor, one clerk stenographer III, two clerk typists II, one title review officer, three title examiners, one title numbering clerk, one recording clerk, one microfilm operator, one microfilm clerk, one suspense file clerk, one title reviewing clerk, three file clerks, one photographic printing and equipment supervisor, one photographic printing and equipment assistant supervisor, one microfilming clerk operator, one multigraph printing machine operator, one messenger and supply clerk, one chief motor vehicle inspector, two motor vehicle inspectors, one clerk III, and one clerk II.

### Complete Implementation

**269-A:47 Final Date.** Notwithstanding anything in this chapter to the contrary, after April 1, 1973 no motor vehicle may be registered in this state, except those exempted pursuant to the provisions of section 2, unless a certificate of title shall be issued and in force relative to the same pursuant to the provisions of this chapter.

### Interpretation, Short Title

**269-A:48 Interpretation.** This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

**269-A:49 Short Title.** This chapter may be cited as the Uniform Motor Vehicle Certificate of Title and Anti-Theft Act.

**357:2 Appropriation.** The sum of sixty-seven thousand two hundred dollars for the fiscal year ending June 30, 1968 and the sum of two hundred sixteen thousand nine hundred dollars for the fiscal year ending June 30, 1969 are hereby appropriated as follows for the purposes of RSA 269-A as inserted by section 1 of this act:

	1967-68	1968-69
Permanent Personnel	\$42,000.	\$120,000.
Equipment — Office	6,000.	32,000.
Motor Vehicles	2,200.	4,400.

Current Expense		
Rent	8,000.	10,500.
Telephone	1,500.	3,000.
Postage	1,500.	3,000.
Printing	2,000.	20,000.
Supplies	1,000.	20,000.
Travel	2,000.	4,000.
<hr/>		
Total	\$67,200.	\$216,900.

The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**357:3 Borrowing Power.** To provide funds for the appropriations made by this act the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of two hundred eighty-four thousand, one hundred dollars and for said purpose may issue notes in the name and on behalf of the state of New Hampshire for a term not to exceed three years.

**357:4 Disposition of Revenue.** All revenue received by the state under the provisions of RSA 269-A shall be used first to pay the principle and interest payments due on any notes issued pursuant to section 3 of this act.

**357:5 Effective Date.** RSA 269-A:45 and 46 as inserted by section 1, section 2, and section 3 of this act shall take effect sixty days after its passage, and the entire balance of this act shall take effect on September 1, 1968.

[Approved July 3, 1967.]

[Effective date — RSA 269-A:45 and 46  
and sections 2 and 3 effective September 1,  
1967; remainder of act effective September 1, 1968.]

## CHAPTER 358.

### AN ACT DEFINING THE CRIME OF PERJURY AND PROVIDING FOR ITS PROSECUTION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**358:1 Perjury.** Amend RSA 587 by inserting after section 1 the following new subdivision:

#### Perjury

**587:1-a Perjury by Single Statement.** Whoever, in a trial, hearing, investigation, deposition, certification or declaration, in which the making

or subscribing of a statement is required or authorized by law, makes or subscribes a material statement under oath, affirmation or other legally binding assertion that the statement is true, when in fact the witness or declarant does not believe that the statement is true or knows that it is not true or intends thereby to avoid or obstruct the ascertainment of the truth, is guilty of perjury. It shall be a defense to the charge of perjury as defined in this section that the statement is true.

**587:1-b Perjury by Contradictory Statements.** Whoever, in one or more trials, hearings, investigations, depositions, certifications, or declarations, in which the making or subscribing of statements is required or authorized by law, makes or subscribes two or more material statements under oath, affirmation or other legally binding assertion that the statements are true, when in fact two or more of the statements contradict each other, is guilty of perjury. It shall be a defense to the charge of perjury by contradictory statements as defined in this section that the accused at the time when he made each statement believed the statement was true.

**587:1-c Perjury by Subornation.** Whoever procures another to commit perjury is guilty of perjury by subornation. Whoever does any act with the specific intent to commit perjury by subornation but fails to complete that offense is guilty of attempted perjury by subornation.

**587:1-d Proof Required.** (1) Proof of guilt beyond a reasonable doubt is sufficient for conviction under this subdivision and it shall not be necessary also that proof be by a particular number of witnesses or by documentary or other type of evidence. (2) The question whether a statement was material shall include only whether the statement might affect some phase or detail of the trial, hearing, investigation, deposition, certification, or declaration and is a question of law to be determined by the court. (3) In a prosecution for perjury by contradictory statements, as defined in section 1-b, it is unnecessary to prove which, if any, of the statements is not true.

**587:1-e Penalties.** Whoever is convicted of any offense as defined in this subdivision shall be imprisoned not more than two years or fined not more than one thousand dollars, or both.

**358:2 Repeal.** RSA 587:1, 2, 3 and 4 relative to perjury, false oath, subornation and indictments therefor are hereby repealed.

**358:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

**CHAPTER 359.**

AN ACT TO PERMIT THE DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT TO PARTICIPATE IN PACKAGE PLAN PROGRAMS WITH OTHERS ENGAGED IN PROMOTING THE RECREATIONAL INTERESTS OF THE STATE OF NEW HAMPSHIRE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**359:1 Participation in Package Plan Programs.** Amend RSA 12-A (supp) by inserting after section 14, as inserted by 1963, 291:1 the following subdivision:

**Recreational Package Plans**

**12-A:15 Package Plan Programs.**

I. Terms Defined. As used in this subdivision the following words and terms shall have the following meanings:

(a) "voluntary corporation," a corporation organized under RSA 292, dedicated by its articles of agreement and by-laws to serve and promote the recreational interests of the state of New Hampshire or a section thereof and which may number among its members certain corporations actively engaged in developing and promoting recreational facilities in the state of New Hampshire.

(b) "package plan program," a method of selling tickets by which the department of resources and economic development, in conjunction with a voluntary corporation, offers for sale to the general public interchangeable or reciprocal tickets for services and accommodations, or both, in connection with recreational facilities of both the state and the voluntary corporation or any of its members. The charges for services and accommodations when sold in this manner may be less than when sold individually.

II. The department of resources and economic development, with the approval of the governor and council, may participate in package plan programs with a voluntary corporation as defined in this section. Notwithstanding any other provisions of law, this participation may include entering into such agreements with the voluntary corporation as are in the best interests of the state, which agreements may relate to the development, promotion, administration, and sales of package plan programs. Such agreements may permit the voluntary corporation to deduct from ticket sales revenue, in an amount not exceeding fifteen per cent of total receipts, those reasonable and legitimate costs, including ticket procurement, that are restricted to developing and maintaining the package plan program. The voluntary corporation shall keep all revenue received by it from such a package plan program in a separate bank account established in a manner mutually agreeable to the participants in the

package plan program. The revenue received from the sale of package plan program tickets by the state shall be deposited with the state treasurer and refund of revenue manifests shall be made in like amount to the treasurer of the voluntary corporation for deposit in said separate bank account. The treasurer of the voluntary corporation shall, at least weekly or upon demand, reimburse the state the predetermined amount for services the state may have provided. The provisions of this section shall have full force and effect notwithstanding any inconsistent or contrary provisions of RSA 219:20.

**359:2 Voluntary Corporation and Associations.** Amend RSA 292:1 as amended by 1965, 74:1 by inserting after paragraph XII the following new paragraph: XIII. To serve and promote the recreational interests of the state of New Hampshire or a section thereof.

**359:3 White Mountains 93 Association.** For the period of January 2, 1967, to the effective date of this act, the division of parks shall be permitted by refund of revenue manifest to reimburse the package plan program, in existence on the effective date of this act with the voluntary corporation known as White Mountains 93 Association, in an amount not exceeding fifty cents for each package plan coupon honored at Cannon Mountain, this amount representing the reasonable and legitimate cost, including ticket procurement, restricted to the development and maintenance of the package plan program.

**359:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 360.

AN ACT RELATIVE TO THE REGISTRATION OF BOATS AND OUTBOARD MOTORS  
OWNED BY THE STATE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**360:1 Registration.** Amend paragraph VI of RSA 270:5 as inserted by 1959, 53:2 by striking out said paragraph and inserting in place thereof the following: VI. State power boats and outboard motors. Power boats and outboard motors owned and operated by the state shall be exempt from registration fees but shall be registered with a permanent plate and certificate in such form as the director of the division of motor vehicles may require.

**360:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 361.

### AN ACT APPROPRIATING FUNDS FOR THE STATE NURSING SCHOLARSHIP PROGRAM.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**361:1 Appropriation.** The sum of one hundred two thousand dollars is hereby appropriated for the biennium ending June 30, 1969, for the purpose of providing funds to carry out the provisions of RSA 326:30, 31 and 32. The sum hereby appropriated shall be available as of July 1, 1967, and the governor is authorized to draw his warrant for the said sum out of any money in the treasury not otherwise appropriated. To provide for the cost of administering the total program a sum shall be deducted from the total amount appropriated for the state nursing scholarship program, this sum not to exceed one thousand dollars for each year. Said sums to be expended by the state board of nursing education and nursing registration to defray the expense of administration of the program for state aid for nursing education.

**361:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 362.

### AN ACT RELATIVE TO SCHOOL BUILDING AND FOUNDATION AID.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**362:1 Elementary Schools.** Amend RSA 194 by inserting after section 19 a new section as follows: **194:19-a Definition of Elementary School.** For the purposes of this chapter, an elementary school is any school in which the subjects taught are those prescribed by the state board for the grades kindergarten through eight of the public schools. However, a

separate organization consisting of grades seven through nine, or any grouping of these grades, may be recognized as a junior high school and so approved by the state board. The school may include a kindergarten program which, if provided, shall precede the other elementary grades.

**362:2 Financial Aid to Elementary Schools.** Amend RSA 194:23-d by inserting in line one before the words "a high school" the words (An elementary school) and by striking out in line four the word "high" so that the said section as amended shall read as follows: 194:23-d **State Financial Aid.** An elementary school, a high school or a comprehensive high school must be approved by the state board of education in order to qualify the district or cooperative school district maintaining such school to receive any form of financial state aid to education for schools or pupils in attendance thereat which are now or which may hereafter be provided by the general court of this state. A school district or a cooperative school district maintaining an approved high school shall also, in order to qualify for such state financial aid, appropriate sufficient funds to meet the cost of tuition for such high school pupils as reside in its school district as desire to attend an approved comprehensive high school due to the fact that such approved comprehensive high school offers courses better suited to the needs and capabilities of said pupils. Any person having the custody of a high school student desiring to attend an approved comprehensive high school may apply to the state board of education for relief if such person is dissatisfied with the action of the school board and the state board after notice to the school board may order such pupil to attend an approved comprehensive high school and the school district of residence of such pupil shall be liable for the cost of tuition.

**362:3 Repeal.** RSA 198:14-a as inserted by 1955, 331:1 relating to the authority of the state board of education to withhold funds from a school district because of the small number of students, is repealed.

**362:4 Size of School not Grounds for Withholding Aid.** Amend RSA 198:15-b as inserted by 1955, 335:9 and amended by 1957, 301:1, 1963, 277:3, and 1965, 150:2 by striking out in lines sixteen, seventeen, eighteen, and nineteen, the words "The state board of education may withhold approval of grants hereunder from any district, whenever, in their opinion, the number of students is so small that other arrangements could provide better and more economical educational facilities" so that the said section as amended shall read as follows: 198:15-b **Amount of Annual Grant.** The amount of the annual grant to any school district duly organized, any city maintaining a school department within its receiving district operating an area school as defined in RSA 195:A-1, shall be a sum equal to thirty per cent of the amount of the annual payment of principal on all outstanding borrowings of the school district, city, cooperative school district or receiving district, heretofore or hereafter incurred, including loans made by the New Hampshire school building authority, for the

cost of construction of school buildings, to the extent approved by the state board of education, provided that the amount of the annual grant in the case of a cooperative school district, or a receiving district operating an area school, shall be forty per cent plus five per cent for each pre-existing district in excess of two and each sending district in excess of one, and provided further that no cooperative school district, or receiving district operating an area school, shall receive an annual grant in excess of fifty-five per cent. For the purposes of computing grants hereunder the amount of the annual payment of principal shall be increased by an amount equal to the amount of capital reserve and/or amount raised by taxation which was actually expended in the construction of the school building, and the amount actually spent for the purchase of a site in anticipation of the construction of the school building, divided by the number of years for which bonds or notes were issued to provide funds for such school building. For the purposes of this subdivision construction shall include the acquisition and development of the site, construction of a new building and/or additions to existing buildings including alterations providing additional pupil capacity, architectural and engineering fees, purchase of equipment and any other costs necessary for the completion of the building as approved by the state board of education.

**362:5** Amend RSA 198:15-c as inserted by 1955, 335:9 by striking out the section and inserting in place thereof the following: **198:15-c Approval of Plans, Specifications and Costs of Construction.** A school district maintaining approved schools, desiring to avail itself of the grants herein provided shall have the plans, specifications, and cost estimates for school plant construction approved by the state board prior to the start of construction. For this purpose the district shall submit its plans, specifications, and cost estimates in writing to the state board on such forms as the board prescribes. The state board shall not approve the plans, specifications, or cost estimates if in the board's judgement the facilities planned will not adequately meet the educational requirements, or if its cost estimates are excessive or unreasonable. The state board shall not approve the plans, specifications, or cost estimates if in the board's judgement the proposed construction is in conflict with effective state-wide planning.

**362:6 Effective Date.** This act shall take effect on its passage.

[Approved July 3, 1967.]

[Effective date July 3, 1967.]



**CHAPTER 363.**

AN ACT RELATIVE TO COOPERATIVE EXTENSION WORK AT THE UNIVERSITY  
AND MAKING APPROPRIATION THEREFOR.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**363:1 Cooperative Extension Work.** Amend RSA 187:23 (supp) as amended by 1957, 312:1 and 1965, 357:1 by striking out said section and inserting in place thereof the following: **187:23 County Extension Work.** There shall be appropriated annually by the state the sum of one hundred eleven thousand four hundred dollars for the purpose of conducting co-operative extension work in agriculture and home economics in the various counties of the state in cooperation with the federal department of agriculture and the said counties and in furtherance of the so-called Smith-Lever Act as accepted by the state under the provisions of chapters 194 and 195 of the Laws of 1915. The sums appropriated shall be expended through the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire. From said appropriation there shall be paid not exceeding the sum of six thousand six hundred dollars per year toward the maintenance of a county agricultural agent, a county home economist and a 4-H youth development agent in any county which shall appropriate at least an equal amount for said purpose in said county; and there shall be paid not exceeding the sum of two thousand two hundred dollars per year toward the maintenance of each assistant agent and six thousand dollars toward the maintenance of each of five area agents in agriculture.

**363:2 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date July 1, 1967.]

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**CHAPTER 364.**

AN ACT RELATIVE TO CONSTRUCTION OF LANDING AREA ON PROJECTION OF  
GOAT ISLAND IN PORTSMOUTH HARBOR OR OTHER SUITABLE SITE.

WHEREAS, 1965, 367 provided that the state of New Hampshire and the city of Portsmouth would each raise and appropriate a sum of \$50,000 for the purpose of carrying into effect the provisions of RSA 216-C, and

WHEREAS, because of a change in the federal share of the cost of the total project, the required contribution from the state and the city of Portsmouth totaled \$92,500 leaving a balance of \$7,500, and

WHEREAS, it was also provided that the city of Portsmouth would construct, operate and maintain two public landings, one of which was

to be located on the westerly projection of Goat island, which is in the town of New Castle, or other suitable site.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**364:1 New Hampshire Port Authority.** The New Hampshire Port Authority is hereby authorized to expend the balance after the full cost of the project provided for by RSA 216-C has been paid for of any funds available under the provisions of 1965, 367, together with any funds which may be reimbursed by the Corps of Engineers from unused construction advances, for the purpose of acquiring land, in fee or by lease, on the westerly projection of Goat island or other suitable site and for the construction of a public landing and/or wharf. The New Hampshire port authority is further authorized to accept any funds which may be made available by the city of Portsmouth for these same purposes. It is the intention of this section that the New Hampshire port authority be authorized to utilize any and all balances of state and local funds to acquire and construct a public landing on Goat island in the town of New Castle or other suitable site; provided the city of Portsmouth will assume the cost of operation and management of the facility to be constructed. For the purposes of this act the balance of appropriation in 1965, 367:2 shall not lapse.

**364:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 365.

### AN ACT RELATIVE TO PAYMENT OF EXPENSES FOR FIRE FIGHTING ASSISTANCE IN TOWNS HAVING NO FIRE DEPARTMENT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**365:1 Fire Fighting.** Amend RSA 72 by inserting after section 22 the following new section: **72:22-a Assistance to Tax Exempt Organizations.** In a case where a town, having no fire department is charged by fire department of another town for expenses for fighting a fire at the request of a charitable, educational or religious organization in the town, whose property is exempt from taxation, the town so charged shall have a right of action against any such organization to collect the actual costs for such fire assistance. Said charges shall be enforceable in an action of debt in the superior court.

**365:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 366.

AN ACT RELATIVE TO THE ESTABLISHMENT OF CONSERVATION DISTRICTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**366:1 Conservation Districts.** Amend RSA by inserting after chapter 430-A (supp) as inserted by 1955, 85 the following new chapter.

### Chapter 430-B

#### Conservation Districts

**430-B:1 Declaration of Policy.** It is hereby declared to be the policy of the state to provide for the establishment of conservation districts under the supervision of a state conservation committee, said districts to be composed of land owners and land occupiers within the districts, who may join together in the interest of the conservation and development of the soil, water, and related natural resources and preventing soil erosion, floodwater and sediment damages. It is the intent of this chapter to facilitate the joint effort of land owners, land occupiers, and units of government in carrying out measures for the conservation and development of lands within the district, voluntarily and with such assistance as may be available for this purpose from local, state, or federal governmental agencies.

**430-B:2 Definitions.** As used in this chapter the following words shall have the following meanings:

I. "District" or "conservation district" means the territory included within the boundaries of a county, organized in accordance with the provisions of this chapter.

II. "Land occupier" or "occupier of land" includes any person who shall hold title to, or shall be in lawful possession of any parcel of land lying within a district organized under the provisions of this chapter.

III. "District supervisor" or "supervisor" shall mean a member of the governing body appointed in accordance with the provisions of this chapter.

**430-B:3 State Conservation Committee.** There is hereby established to serve as an agency of the state a conservation committee, which shall

consist of nine members: The director of the state cooperative extension service, the director of the state agricultural experiment station, the state commissioner of agriculture, the commissioner of the department of resources and economic development, and five appointed members all of whom shall be district supervisors or former district supervisors who shall be from counties as follows: one from Coos and Grafton; one from Belknap and Carroll; one from Cheshire and Sullivan; one from Hillsborough and Merrimack; one from Rockingham and Strafford. Said supervisor or former supervisor members shall be appointed by the governor with the advice and consent of the council to serve four years respectively from August 1 and until their successors are appointed and qualified, provided, however, that of the first appointments made hereunder two members shall be appointed to serve for a term of two years and the other three members shall be appointed for a term of four years. Advisory committee members shall serve without vote and shall include the state conservationist, soil conservation service, United States Department of Agriculture and others appointed by the state conservation committee as deemed appropriate. Vacancies shall be filled for unexpired terms. The committee so composed shall elect its own chairman from one of the five appointees. The members of said committee shall serve without compensation, but the appointees shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties. It may adopt rules and regulations necessary for the execution of its functions hereunder and shall keep a record of its official actions. Within the limits of the appropriation it may employ such employees as it requires and fix their compensation subject to the rules and regulations of the division of personnel.

**430-B:4 Duties.** The state conservation committee shall:

I. Offer assistance to the supervisors of districts in formulating and carrying out any of their programs.

II. Keep the supervisors of each district informed of the activities of all other districts, and to facilitate an interchange of advice, experience and cooperation between such districts.

III. Coordinate the programs of the several districts so far as this may be done by advice and consultation.

IV. Seek the cooperation and assistance of the United States, of this state, and of town and county governments, in the work of such districts, and receive funds from such agencies, or from any other source, and use such funds to carry out the purposes of the state conservation committee and the conservation districts.

V. Keep the public informed throughout the state, concerning the activities and programs of the conservation districts.

VI. It shall be the duty and responsibility of the state committee to

establish satisfactory cooperative arrangements and to avoid duplication between the districts and other federal, state or county agencies which have similar responsibilities.

**430-B:5 Creation of Conservation Districts.** There are hereby established, as governmental subdivisions of this state and public bodies corporate and politic, ten conservation districts as follows: (1) each of the ten counties within the state is hereby incorporated into a conservation district; (2) each of the ten districts shall be known by the name of the county to which its boundaries conform. Immediately upon the passage of this chapter the ten conservation districts shall become duly established districts. Upon the appointment of the district supervisors as hereinafter provided the districts shall become duly organized and thereafter the districts and the supervisors thereof shall have all the powers and duties conferred upon them by this chapter, provided, however, that no such district shall exercise any of the powers conferred on districts or the supervisors thereof under this chapter until after the state conservation committee shall adopt a resolution determining that there is need, in the interest of public health, safety and welfare, for such district to function and that a substantial proportion of the land occupiers of such districts are in favor of its operation. In making such determinations the committee may accept petitions and conduct such public meetings and referenda as they deem necessary, and shall give due consideration to the distribution and intensity of erosion, floodwaters and sediment damages, need for land drainage, and changes in land use and the conservation and development of the natural resources on lands within the said district, and to other relevant factors. From and after the date of adoption by the committee of a resolution in favor of the operation of a particular district, such district shall be deemed to be duly organized, and the supervisors of such district shall thereupon be entitled to exercise the powers conferred on them by this chapter. A certified copy of such resolution shall be evidence of the due organization of such districts. All districts heretofore organized under RSA 430 shall be identified as "conservation districts" and shall have all the powers and duties provided in this chapter for conservation districts.

**430-B:6 Appointment of District Supervisors.** The governing body of the district shall consist of five supervisors appointed by the state conservation committee, who shall be land occupiers in the district. Associate supervisors who shall be land occupiers in the district shall be appointed by the governing body as deemed necessary and shall serve without vote.

**430-B:7 Organization; Term of Office.** The supervisors of each district shall designate a chairman and may from time to time change their chairman. The term of office of each supervisor shall be three years, excepting that for those first appointed there shall be one for one year, two for two years, and two for three years. A supervisor may succeed himself

in office and he shall hold office until his successor has been appointed and has qualified. Vacancies shall be filled for an unexpired term and removal from the district shall constitute a vacancy. Successors to fill an unexpired term, or a full term, shall be appointed by the state conservation committee. A majority of the supervisors shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination. A supervisor shall receive no compensation for his services, but he shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of his duties.

**430-B:8** The supervisors may employ such employees as they may require and shall determine their qualifications, duties and compensation. The supervisors may delegate to their chairman, to one or more supervisors, or to one or more agents or employees, such powers and duties as they may deem proper. The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings; and shall provide for an annual audit of the account of receipts and disbursements. The supervisors shall furnish to the state conservation committee, upon request, copies of their proceedings and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this chapter.

**430-B:9 Powers of Districts and Supervisors.** A conservation district organized under the provisions of this chapter, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this chapter.

I. To conduct surveys, investigations and research relating to the character of soil erosion and floodwater and sediment damages and land drainage and to the conservation and development of the soil, water, and related natural resources and the preventive and control and works of improvement measures needed, to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventive and control measures and works of improvement; provided, however, that in order to avoid duplication of research activities, no district shall initiate any research program except in cooperation with the government of this state or any of its agencies, or with the United States or any of its agencies;

II. To conduct demonstrational projects within the district on lands owned or controlled by this state or any of its agencies, with the cooperation and consent of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands, in order to demonstrate by example the means, methods, and measures by which soil and soil resources may be conserved, and soil

erosion in the form of soil blowing and soil washing may be prevented and controlled, and land may be drained and floodwater and sediment damages may be prevented; and other works of improvement for the conservation and development of the soil, water, and related natural resources may be carried out;

III. To carry out preventive and control measures and works of improvement for the conservation and development of the soil, water, and related natural resources within the district including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, the drainage of land and changes in use of land, and measures for the prevention of floodwater and sediment damages, on lands owned or controlled by this state or any of its agencies, with the cooperation and consent of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands;

IV. To cooperate, or enter into agreements with and to furnish financial or other aid to, any agency, governmental or otherwise, or any occupier of lands within the district, in carrying out the erosion-control, flood prevention, drainage, watershed protection, and resource conservation and development projects or other works of improvement for the conservation and development of the soil, water, and related natural resources within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this chapter;

V. To obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, any property, real or personal, or rights or interests therein; to maintain, administer, and improve any properties acquired, to receive income from such properties and to expend such income in carrying out the purposes and provisions of this chapter; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of this chapter;

VI. To make available, on such terms as it shall prescribe, to land occupiers within the district, agricultural and engineering machinery and equipment, fertilizer, seeds, and seedlings, and such other material or equipment, as will assist such land occupiers to carry on operations upon their lands for the conservation and development of soil, water, and related natural resources and the drainage of land and for the prevention and control of soil erosion and for the prevention of floodwater and sediment damages;

VII. To construct, improve, operate and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this chapter;

VIII. To develop comprehensive plans for changes in land use and the conservation and development of the soil, water, and related natural

resources and for the control and prevention of soil erosion and for land drainage and for the prevention of floodwater and sediment damages within the district, which plans shall specify in such detail as may be possible, the acts, procedures, performances, and avoidances which are necessary or desirable for the effectuation of such plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, and changes in use of lands; and to publish such plans and information and bring them to the attention of occupiers of lands within the district;

IX. To take over by purchase, lease, or otherwise, and to administer any soil conservation, drainage, flood prevention, erosion control, erosion prevention, watershed protection, or resource conservation and development project, or other works of improvement for the conservation and development of soil, water, and related natural resources or combinations thereof, located within its boundaries undertaken by the United States or any of its agencies, or by this state or any of its agencies; to manage, as agent of the United States or any of its agencies, or of this state or any of its agencies, any soil conservation, drainage, flood prevention, erosion control, erosion prevention, watershed protection, or resource conservation and development project, or other works of improvement for the conservation and development of soil, water, and related natural resources or combinations thereof, within its boundaries; to act as agent for the United States, or any of its agencies, or for this state or any of its agencies, in connection with the acquisition, construction, operation, or administration of any soil conservation, drainage, flood prevention, erosion control, erosion prevention, watershed protection, or resource conservation and development project or other works of improvement for the conservation and development of soil, water, and related natural resources or combinations thereof, within its boundaries; to accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies or from this state or any of its agencies, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations;

X. As a condition to the extending of any benefits under this chapter to, or the performance of work upon, any lands not owned or controlled by this state or any of its agencies, the supervisors may require contributions in money, services, materials, or otherwise to any operations conferring such benefits, and may require land occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to provide drainage, prevent or control erosion and prevent floodwater and sediment damages and otherwise provide for the conservation and development of the resources thereon.

**430-B:10 Inconsistency with Other Laws.** Insofar as any of the pro-



visions of this chapter are inconsistent with the provisions of any other law, the provisions of this chapter shall be controlling.

**366:2 Repeal.** RSA 430 (supp) as inserted by 1955, 239 and amended by 1961, 242, relative to soil conservation is hereby repealed.

**366:3 Effective Date.** This act shall take effect August 1, 1967.

[Approved July 3, 1967.]

[Effective date August 1, 1967.]

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## CHAPTER 367.

AN ACT EXEMPTING FROM TAXATION CERTAIN NON-REVENUE PRODUCING  
PROPERTY OF THE WATER RESOURCES BOARD.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**367:1 Tax Exemption.** Amend RSA chapter 481 by adding after section 25 (supp) as inserted by 1961, 253:1 the following new section:  
**481:26 — Tax Exempt.** All property and rights acquired by the corporation for projects in cooperation with federal agencies as provided for under Public Law 566 and pursuant to section 25 which are non-revenue producing shall be exempt from all taxation and shall not be subject to the provisions of section 14.

**367:2 Effective Date.** This act shall take effect sixty days after its passage provided that no exemption shall be allowed hereunder until April 1, 1968.

[Approved July 3, 1967.]

[Effective as specified.]

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## CHAPTER 368.

AN ACT INCREASING THE AMOUNT OF PERMITTED POLITICAL EXPENDITURES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**368:1 Authorized Political Expenditures Permitted in Primary.** Amend paragraph I of RSA 70:4 (supp) as amended by 1955, 273:1; 1957, 303:2; 1965, 236:2 by striking out said paragraph and inserting in place thereof the following:

I. By a candidate or in his behalf in a primary, a sum in excess of the following amounts:

(1) Governor, United States senator, representative in congress, governor's councilor, county officer, or state senator, fifteen cents multiplied by the number of voters qualified to vote for the office the candidate seeks at the last preceding biennial election. The secretary of state shall compile and publish in the New Hampshire Manual for the General Court a list indicating the number of such qualified voters for each of the foregoing offices.

(2) Representative to the general court, five hundred dollars. In determining whether a candidate has exceeded the sum fixed in this paragraph, no account shall be taken of the following items: The candidate's contribution to the state committee, his filing fee, or his expenditures for personal travel and subsistence expenses. The sums fixed in this paragraph shall include all expenditures, contracts therefor, and use of contributions of money or things of value, tangible or intangible, by a candidate or by others, including political committees, in his behalf and with his knowledge during the period of time he or others in his behalf and with his knowledge seeks votes for him to and including the date of the primary.

**368:2 Authorized Political Expenditures Permitted Other Than in a Primary.** Amend paragraph II of RSA 70:4 (supp) as amended by 1955, 273:1 and 1957, 303:3 by striking out said paragraph and inserting in place thereof the following:

II. By or on behalf of a candidate at a general or special election, a sum in excess of the following amounts:

(1) Presidential elector, governor, United States senator, representative in congress, governor's councilor, county officer or state senator, fifteen cents multiplied by the number of voters qualified to vote for the office the candidate seeks at the last biennial election. The secretary of state shall compile and publish in the New Hampshire Manual for the General Court a list indicating the number of such qualified voters for each of the foregoing offices.

(2) Representative to the general court, five hundred dollars. The sums fixed in this paragraph shall include as expenditures any payments, distributions, loans, advances, deposits, or gifts of money and shall include any contracts, promises or agreements whether or not legally enforceable to make expenditures by a candidate or by others, including political committees, in his behalf, during the time between his nomination to and including the date of the election except by the political party to which he belongs.

**368:3 Increased Political Expenditures Permitted by Political Committees of Any Political Party.** Amend paragraph V of RSA 70:4 (supp) as amended by 1955, 273:1 by striking out said paragraph and inserting in place thereof the following:

V. By the political committees of any political party, a sum in excess of one dollar multiplied by the number of voters eligible to vote in the state at the last biennial election as recorded by the secretary of state in the New Hampshire Manual for the General Court. For the purpose of measuring compliance with the limitations contained in this paragraph, the congressional district, county, city, ward, and town committees of political parties shall report their expenditures to their respective state committees as hereinafter provided in section 5 of this chapter, and the state committee reports to the secretary of state shall include all such expenditures. Sums transmitted to the national committee or any subdivision of the national committee of any political party shall not be deemed an expenditure for the purposes of this subsection.

**368:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 369.

AN ACT AUTHORIZING LOANS BY THE INDUSTRIAL PARK AUTHORITY TO DEVELOPMENT CORPORATIONS ELIGIBLE FOR ASSISTANCE UNDER THE FEDERAL SMALL BUSINESS INVESTMENT ACT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**369:1 Loans Authorized.** Amend RSA 162-A by inserting after section 7-a as inserted by 1963, 155:4 the following new section: **162-A:7-b Loans; Federal Economic Development Program.** In order to carry out the purpose set forth in section 1 hereof the authority may loan money to a local or regional development corporation eligible to participate in programs under the provisions of the Small Business Investment Act of 1958, Public Law 85-699. The authority shall not lend for any one project approved by the Small Business Administration a sum of money which exceeds an amount equal to ten per cent (10%) of the total cost of the project. The issue of such loan by the authority is contingent upon the provision of at least an equal and matching sum by the development corporation which has requested assistance under the provisions of the Small Business Investment Act. Any such development corporation which receives any such loan shall pay to the authority such amounts of principal and interest as shall be determined by the authority. Payments shall coincide with the schedule of repayments provided by the federal act or shall commence at a time when all federal loans have been repaid, depending upon the discretion of the authority. The security for repayment of such

loan shall be in such form and amount as determined by the authority except that any such security shall be junior and subordinate to the security given for all federal loans made in connection with the project. The total principal amount of outstanding loans from the authority in accordance with the provisions of this section shall not at any one time exceed five hundred thousand dollars.

**369:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 370.

### AN ACT PROVIDING ADDITIONAL RETIREMENT ALLOWANCES FOR CERTAIN RETIRED TEACHERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**370:1 Teachers' Retirement System.** Amend RSA 192 by inserting after section 26, as inserted by 1965, 265:1, the following new section:  
**192:27, 1968 Allowances.** Any beneficiary who retired prior to July 1, 1957 and who is in receipt of a retirement allowance on January 1, 1968 including any teacher retired under the teachers' retirement system as established by chapter 136, Revised Laws, shall beginning with the month of January 1968 and monthly thereafter but not beyond the month of December 1968 have his allowance increased in the proportion which the Consumers Price Index issued by the United States Department of Labor, Bureau of Labor Statistics, for the month of October 1966 bears to the corresponding index for the year in which the member retired; except that in the case of service beneficiaries, such increased retirement allowance shall be at least forty-six dollars for each year of creditable service at retirement not exceeding thirty years, and in the case of disability beneficiaries, such increased retirement allowance shall be at least forty-four dollars for each year of creditable service at retirement not exceeding thirty years. Provided, however, if any such beneficiary has filed an election in accordance with RSA 192:13, II his retirement allowance shall be increased for said period only in the proportion which the Consumers Price Index issued by the United States Department of Labor, Bureau of Labor Statistics, for the month of October 1966 bears to the corresponding index for the year in which the member retired. In the event the retired member is receiving a reduced retirement allowance because of having elected an option, such increased retirement allowance shall be reduced in the same proportion as the retirement allowance prior

to optional modification was reduced at retirement. If the beneficiary of a retired member who retired prior to July 1, 1957 and elected an option providing for a survivor annuity is in receipt of such survivor annuity on January 1, 1968, such beneficiary shall be paid beginning with the month of January 1968 and monthly thereafter but not beyond the month of December 1968 an increased retirement allowance which shall be the same proportion of the increased retirement allowance the member would have been entitled to receive, if any, prior to any optional modification had he been living on January 1, 1968 as the survivor annuity bears to the full allowance prior to optional modification of such former retired member at retirement. When the increased retirement allowance of any one beneficiary shall be ascertained under the terms of the before mentioned provisions the difference between said increased retirement allowance and the retirement allowance said beneficiary is then receiving, as of December 31, 1967 shall be multiplied by two and the said sum shall be paid to said beneficiary, in twelve monthly installments during the period from January 1, 1968 to December 31, 1968. Nothing herein shall be construed as affecting the regular retirement allowance of any beneficiary. The payment of the additional retirement allowances payable hereunder shall be contingent on the payment by the state of the additional amounts required to meet the current disbursements of such additional retirement allowances.

**370:2 Appropriation.** In order to provide funds for the payment of the supplemental allowances provided under RSA 192:27 as hereinbefore inserted, the sum of ninety-two thousand, seven hundred and fifty-seven dollars is hereby appropriated for the fiscal year ending June 30, 1968 and the sum of ninety-two thousand, seven hundred and fifty-seven dollars is hereby appropriated for the fiscal year ending June 30, 1969. The first sum herein mentioned shall be expended by the teachers' retirement system for the payment of supplemental benefits for the period from January 1, 1968 to June 30, 1968, and the second sum herein mentioned shall be expended by said system for the payment of supplemental benefits for the period from July 1, 1968 to December 31, 1968. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**370:3 Effective Date.** This act shall take effect on January 1, 1968.  
[Approved July 3, 1967.]  
[Effective date January 1, 1968.]

**CHAPTER 371.****AN ACT RELATIVE TO THE ADOPTION OF ABANDONED CHILDREN AND  
CONSENT BY THE DIRECTOR OF WELFARE.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**371:1 Definition of Abandonment.** Amend RSA 461 by inserting after section 3 the following new section: **461:3-a Consent by Director of Welfare Alone Relative to Certain Abandoned Children.** The consent of only the director of welfare shall be necessary for the adoption of a child deemed abandoned pursuant to the hereinafter stated provisions of this section. Where any child has been committed to the care of the director of welfare pursuant to RSA 169:10 and has remained in such care for a period of one year without interruption, and either or both of his parents have failed to communicate with or have failed to contribute to the support of said child, such child shall be deemed abandoned; provided further that if the probate court, after hearing, finds that either or both parents have made only token efforts to support or communicate with such a child, it may order and declare that for the purpose of this section, such child be deemed abandoned.

**371:2 Effective Date.** This act shall take effect sixty days after its passage but shall not apply to any adoption proceedings then pending before any probate court on said effective date.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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**CHAPTER 372.****AN ACT ENABLING PRIVATE PERSONS TO SEEK RELIEF FROM UNLAWFUL  
MAINTENANCE OF JUNK YARDS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**372:1 Authority Granted.** Amend RSA 267-A as inserted by 1965, 372:1 by inserting after section 16 the following new section: **267-A:17 Private Persons.** Any person owning real property whose property is directly affected by the site of a junk yard maintained in violation of the provisions of this chapter may in writing addressed to the legislative body request the legislative body to take appropriate action under this chapter. A copy of the written communication to the legislative body shall be mailed to the person complained of. If the legislative body shall not within thirty days thereafter make a determination that a junk yard

does exist and issue the appropriate order, such person may, in his own name and in his own right, request the county attorney to take appropriate action.

**372:2 Definition.** Amend RSA 267-A:2, I, as inserted by 1965, 372:1 by striking out the same and inserting in place thereof the following: 267-A:2, I. "Junk yard" means any place of storage or deposit, whether in connection with a business or not, where two or more unregistered, or old motor vehicles, no longer intended or in condition for legal use on the highways, are held, whether for the purpose of resale of used parts, for the purpose of reclaiming for use some or all of the materials, whether metal, glass, fabric, or otherwise, or to dispose of them, or for any other purpose. The term includes any place of storage, or deposit for any purposes, of used parts or materials from motor vehicles which, taken together, include in bulk two or more vehicles. The term includes anyone registered as a motor vehicle junk dealer under chapter 260:53, but does not include an establishment operated by a firm or individual registered under chapter 260:46 as a new or used motor vehicle dealer.

**372:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 373.

AN ACT TO LIMIT THE AMOUNT OF CONTROLLED INSURANCE AN INSURANCE  
LICENSEE CAN ISSUE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**373:1 Insurance Agents.** Amend RSA 402 by inserting after section 73 a new section as follows:

**402:74 Controlled Insurance; Prohibited Interest.**

I. It is the policy of this state that an insurance agent or an insurance company should not be licensed to act or do business primarily for the purpose of placing insurance on his or its own property or on property which is owned or controlled in any manner by employees or close relatives of the agent or of the company or owners of the company, and it is the purpose of this section to further that policy.

II. If any applicant for a license from the commissioner of insurance to act as an insurance agent or to do insurance business in the state re-

ceives in any calendar year more than ten per cent of his or its total commissions or premiums from insurance that the agent or company writes in that year, from any insurance involving in any way the property or any interest in property of the persons, associations, or corporations listed in paragraph III of this section, the agent or company is deemed to be licensed primarily for the purpose of insuring his or its own property or of insuring property which is owned or controlled to some extent by employees or close relatives of the agent or of the company or owners of the company, and the commissioner shall not issue him or it a license unless the agent or company shows to the satisfaction of the commissioner that he or it is not so licensed.

III. If the property insured by an applicant is owned by any of the persons listed in this paragraph, the commissioner shall not issue a license to the applicant unless the applicant shows to the satisfaction of the commissioner that the applicant is not licensed contrary to the policy of the state as set forth in paragraph I of this section.

- (a) an applicant;
- (b) any member of any firm or association if an applicant is also a member or owner;
- (c) an owner of any interest in an association or partnership which is an applicant and the spouse of such an owner;
- (d) the stockholders of a corporation which is an applicant and their spouses;
- (e) any corporation owning an interest in a corporation which is an applicant;
- (f) any firm or association, its members or owners and their spouses who individually or collectively own more than fifty per cent of the capital stock of a corporation which is an applicant;
- (g) any corporation if any firm or association, its members or owners or their spouses own more than fifty per cent of the capital stock of a corporation which is an applicant;
- (h) any corporation if an applicant or the applicants, individually or collectively, own more than fifty per cent of its capital stock;
- (i) any affiliate or subsidiary of any corporation mentioned in this paragraph;
- (j) an employee or an employer of an applicant;
- (k) any person for whom an applicant is or acts as trustee;
- (l) any company if the property insured is manufactured, sold or financed by the company, unless the insurance protects the insured against physical damage to an automobile manufactured, sold, or financed by the company to the insured;



(m) the employees of a corporation which owns the controlling interest in an applicant, if over ten per cent of the commissions or premiums received by the applicant come from the employees of the corporation.

IV. The provisions of this section do not apply to an agent licensed as of the effective date of this section.

**373:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 374.

AN ACT ESTABLISHING AN OFFICE OF MENTAL RETARDATION IN THE OFFICE OF THE DIRECTOR OF THE DIVISION OF MENTAL HEALTH.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**374:1 Office of Mental Retardation Established.** Amend RSA 126-A as inserted by 1961, 222:1 by inserting after section 34 the following new subdivision:

### Office of Mental Retardation

**126-A:35 Office Established.** There is hereby established within the division of mental health an office of mental retardation, which shall be responsible for carrying on and expanding the work of the mental retardation implementation project.

**126-A:36 Duties and Functions of Office.** The office of mental retardation shall be responsible for the planning, development, and coordination of services for the prevention, diagnosis, treatment, training, rehabilitation, consultation and education in the area of mental retardation throughout the state.

**126-A:37 Staff of Office.** The staff of the office of mental retardation shall consist of the following positions: One chief of the office of mental retardation, one coordinator for mental retardation services, one regional coordinator for mental retardation, and one clerk stenographer II.

**374:2 Appropriation.** The sum of seventeen thousand two hundred eighty-four dollars and six cents for the period from January 1, 1968 to June 30, 1968 and the sum of thirty-five thousand eight hundred sixty dollars and eighty-one cents for the fiscal year ending June 30, 1969, are hereby appropriated as follows:

	1968	1969
<i>Personnel services</i>		
Chief of the office of mental retardation — grade 32	\$ 5,607.55	\$11,772.54
Coordinator for mental retardation services — grade 25	4,150.12	8,549.49
Clerk-stenographer II — grade 7	1,915.05	3,831.10
Regional coordinator for mental retardation services — grade 18	3,291.34	6,582.68
Total personnel services	\$14,964.06	\$30,735.81
<i>Current expenses</i>		
Supplies	\$ 250.	\$ 900.
Telephone	300.	600.
Postage	200.	400.
Contractual repairs, machinery & equipment	50.	150.
Miscellaneous	100.	250.
Total current expense	\$ 900.	\$ 2,300.
<i>In-state travel</i>		
Meals	\$ 300.	\$ 600.
Hotel	50.	100.
Mileage, private car	600.	1,200.
Miscellaneous	25.	25.
Total in-state travel	\$ 975.	\$ 1,925.
<i>Out-of-state travel</i>		
Common carriers	\$ 250.	\$ 500.
Meals	50.	125.
Hotel	75.	150.
Mileage, private car	70.	125.
Total out-of-state travel	\$ 445.	\$ 900.
Total office of mental retardation	\$17,284.06	\$35,860.81

374:3 Effective Date. This act shall take effect January 1, 1968.

[Approved July 3, 1967.]

[Effective date January 1, 1968.]

**CHAPTER 375.**

AN ACT PROVIDING FEES FOR TOWN CLERKS FOR PREPARING DOCUMENTS IN CONNECTION WITH MOTOR VEHICLE REGISTRATION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**375:1 Registration of Motor Vehicles.** Amend RSA 260:26 by striking out said section and inserting in place thereof the following: **260:26 Preparation of Documents.** Permits shall be in the form prescribed by the director and shall be issued with such duplicates as he shall determine. The town clerk shall prepare forms for permits and applications for registration of motor vehicles as required by section 1 of this chapter. Said forms shall be prepared by typewriter. Distribution of such documents shall be made as determined by the director. For preparation of the forms hereunder the town clerk shall receive a fee of fifty cents for each application. The fee shall be paid by the applicant for registration and shall be in addition to any other fees required hereunder. The term "town clerk" as used in this section shall include the person in a city who has been designated by the city government to issue such documents.

**375:2 Effective Date.** This act shall take effect November 1, 1967.

[Approved July 3, 1967.]

[Effective date November 1, 1967.]

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**CHAPTER 376.**

AN ACT TO REQUIRE A PERIODIC EYE EXAMINATION BEFORE RENEWAL OF DRIVER'S LICENSE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**376:1 Visual Test.** Amend RSA 261:3 by inserting after the word "prescribe" in line four the words (such examination may include an examination for visual acuity as prescribed by the director) so that said section as amended shall read: **261:3 Examination.** Before a license is granted to any person, the applicant, if he has not been theretofore licensed to operate a motor vehicle in this state, shall pass such examination as to his qualifications as the director shall prescribe. Such examination may include an examination for visual acuity as prescribed by the director. No license shall be issued until the director is satisfied that the applicant is a proper person to receive it. No physical defect of an applicant shall debar him from receiving a license unless it can be shown by common

experience that such defect incapacitates him from safely operating a motor vehicle, except as provided in section 5.

**376:2 Reissuance.** Amend RSA 261:3-a, as inserted by 1955, 294:1 and amended by 1957, 25:1 by inserting after the word "prescribe" in line four the words (such reexamination may include an examination for visual acuity as prescribed by the director) so that said section as amended shall read: **261:3-a — Reexamination.** The director, division of motor vehicles, may require with cause any person holding a license to operate motor vehicles or applying for reissue of such license to pass such examination as to his qualifications as the director shall prescribe. Such reexamination may include an examination for visual acuity as prescribed by the director. No license shall be reissued to such person or continued in effect until the director is satisfied as to such person's fitness to operate a motor vehicle. Every person upon reaching his seventy-fifth birthday shall demonstrate his physical and mental qualifications to hold a license by examination, as prescribed by the director.

**376:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 377.

AN ACT RELATIVE TO SALARY OF REGISTER OF DEEDS FOR SULLIVAN COUNTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**377:1 Register of Deeds.** Amend RSA 478 by inserting after section 17-d (supp) as inserted by 1967, 250:1 the following new section: **478:17-e Fees.** The register of deeds of Sullivan county shall charge the following fees for documents recorded in, or services rendered by his office.

I. For recording deeds, mortgages, leases, agreements, attachments, and like documents, three dollars for the first recorded page, plus two dollars for each additional recorded page. However, if the instrument contains the names of more than one grantor and one grantee an additional fee of fifty cents shall be charged for indexing the names of each additional grantor or grantee.

II. For recording discharge of real estate attachment, or marginal assignment, release or discharge of real estate mortgage, two dollars.

III. For each transfer furnished pursuant to section 14 of this chapter, fifty cents.

IV. For recording plans, five dollars for the first two hundred square inches thereof with one dollar for each additional one hundred square inches or part thereof.

V. For copying any document, the price to be established and posted by the register of deeds.

**377:2 Sullivan County.** Amend RSA 478 by inserting after section 34 (supp) as inserted by 1967, 250:1 the following new subdivision:

#### **Register for Sullivan County**

**478:35 Receipts.** The register of deeds for Sullivan county shall pay over monthly to the county treasurer all fees received by him as such register and all charges paid to him for services arising out of or because of his office.

**478:36 Salary.** The register of deeds for Sullivan county shall be paid an annual salary of seven thousand dollars.

**478:37 Assistants.** The register of deeds for Sullivan county is authorized to employ such assistants as may be required; and to fix their salaries, subject to the approval of the executive committee of the county convention. The salaries of the assistants and any other expenses of the office of the register of deeds shall be paid by the county.

**377:3 Application of Statutes.** The provisions of RSA 478:17 relative to fees shall not apply to the fees collected by the register of deeds for Sullivan county.

**377:4 Effective Date.** This act shall take effect January 1, 1968.

[Approved July 3, 1967.]

[Effective date January 1, 1968.]

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### **CHAPTER 378.**

AN ACT TO REMOVE CERTAIN RESIDENCE REQUIREMENTS FOR APPOINTMENT  
OF SALES AGENTS IN STATE LIQUOR STORES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**378:1 Liquor Commission.** Amend RSA 177:2 by striking out said section and inserting in place thereof the following: **177:2 Operation of State Stores, Sales Agents.** The commission may in its discretion operate stores for the sale of liquor in such cities and towns as shall have accepted the provisions hereof as hereinafter provided, and, subject to the state personnel regulations, and within the limits of available appropriations and funds, may appoint sales agents to sell liquor in said stores. Any

sales agent appointed for any store shall have been a resident of the county where said store is located for at least six months prior to said appointment. The salaries of such sales agents shall not be governed by the amount of sales. No sales agent authorized to sell liquor under the provisions hereof, shall sell liquor except such as may be legally obtained under the provisions of this title.

**378:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

### CHAPTER 379.

MAKING APPROPRIATIONS FOR THE EXPENSES OF CERTAIN DEPARTMENTS OF THE STATE FOR THE YEAR ENDING JUNE 30, 1968.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**379:1 Appropriations:** The sums hereinafter mentioned are appropriated to be paid out of the treasury of the state for the purposes specified for the departments herein named, for the fiscal year ending June 30, 1968, to wit:

A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$232,000 for the office of legislative budget assistant, and \$86,000 for the office of legislative services, as follows: (Salary of legislative budget assistant \$17,680, Other expenditures \$214,320+), (Legislative services — Other expenditures \$86,000):

		\$838,375
Travel and expenses authorized by RSA 14-A:3 (Supp.) *	17,500	
Legislative council*	5,000	
Council of state governments	4,625	
Alterations and Repairs — third floor of State House*	10,000	
The National Society of State Legislators — N. H. Conference*	1,000**	
Reimbursement for travel expenses incurred while attending a national legislative leaders conference:		
Lucien E. Bergeron	300	
Cecil Charles Humphreys	300	600
Total for legislative branch		<u>\$877,100</u>

+In this appropriation \$6,000, or so much as necessary, may be expended by the legislative budget assistant for an audit of the state treasury.

The legislative budget assistant may designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of paragraph II, section 31, chapter 14, RSA, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer. The legislative budget assistant shall, when overtime or temporary assistance is necessary, obtain such assistance and determine the compensation therefor. Other provisions of law notwithstanding, the legislative budget assistant shall also serve as research analyst to the senate finance committee, pursuant to the provisions of RSA 14:40. All personnel, equipment, supplies and appropriations of the research analyst to the senate finance committee are hereby transferred to the legislative budget assistant's office, as of July 1, 1967.

\* This appropriation shall not lapse at June 30, 1968.

\*\*This appropriation shall not be expended without prior approval of the fiscal committee of the general court.

*Note:* The fiscal committee of the general court is hereby directed to study and report its recommendations to the 1969 general court relative to the method and form of making the legislative appropriation, considering but not being limited to the advisability of making such appropriation in line item or program budgeting or in any method it shall discover or may have brought to its attention or any combination thereof.

For judicial branch:

For supreme court:

Salaries of justices	\$114,115	
Salary of clerk-reporter	15,307	
Other personal services:		
Permanent	19,080	
Other	1,600	
	<hr/>	
Total	\$150,102	
Current expenses	5,900	
Travel:		
In state	2,200	
Out of state	1,750	
Equipment	5	
Other expenditures:		
N. H. supreme court reports*	6,500	
	<hr/>	
Total	\$166,457	
Less estimated revenue	650	
	<hr/>	
Net appropriation		\$165,807

\*The funds in this appropriation shall not lapse but shall be available for expenditure in the following year.

For superior court:

Salaries of judges	\$165,500
Salaries of judicial referee	16,500
Other personal services:	
Permanent <sup>+</sup>	86,482
Other	100

Total	\$268,582
Current expenses	9,000

Travel:

In state	15,500
Out of state	1,000

Total	\$294,082
Less reimbursements	86,482

Net appropriation	207,600
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<sup>+</sup>The funds in this appropriation are for court stenographers which may be increased with approval of governor and council provided the counties are billed for total expenditures.

For probate court:

Salaries of judges, registers and deputies	166,815
For judicial council <sup>++</sup>	10,712 <sup>#</sup>

<sup>++</sup>In this appropriation \$6,400 shall be for the salary of the secretary.

<sup>#</sup>The funds in this appropriation shall not lapse but shall be available for expenditure in the following year.

For administrative committees:

For district and municipal courts	7,248
For probate courts	500

Total	7,748
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Total for judicial branch	\$558,682
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Executive branch:

Office of governor:

Salary of governor	\$ 30,000
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## Other personal services:

Other†	65,125
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## Total

\$ 95,125
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## Current expenses

9,000
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## Travel:

In state*	2,500
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Out of state	2,000
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## Equipment

1,000
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## Other expenditures:

Contingent fund	15,000
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Governor's special fund**	10,000
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Trainee program†††	22,000
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New England governors' council	8,000
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Emergency fund	50,000
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Operating budget contingent fund***	100,000
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## Total

\$314,625
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†Salaries paid out of this appropriation shall be at levels set by the governor.

\*Expenses of operating and maintenance of the governor's state car shall be charged to this appropriation.

\*\*The funds appropriated under this item are to be spent by the governor at his own and sole discretion for state purposes, included but not limited to participation in the activities of the United States Governors' Conference, the New England Governors' Conference, and the council of state governments, for which monies are not otherwise appropriated.

†††The funds in this appropriation shall not be transferred or used for any other purpose.

\*\*\*Transfers from this fund are subject to prior approval by the governor and council and may be made to all state agency appropriations, excluding only the governor and council. The director of accounts shall keep a record of transfers approved for other than general fund agencies and shall report such special fund transfers to the legislature for appropriate adjustment between funds.

## Office of economic opportunity:

## Personal services:

Other	\$ 63,855
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## Current expenses

7,270
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Travel:		
In state	3,500	
Out of state	1,200	
Other expenditures:		
VISTA transportation	7,260	
	<hr/>	
Total	\$83,085	
Less estimated federal grant	71,085	
	<hr/>	
Net appropriation		12,000
Executive council:		
Personal services:		
Other—per diem	\$ 19,750	
Secretary to executive council	4,500	
	<hr/>	
Total	\$ 24,250	
Current expenses	1,600	
Travel:		
In state	5,750	
Out of state	500	
Equipment	450	
	<hr/>	
Total for executive council		32,550
Office of coordinator of federal funds:		
Salary of coordinator	\$ 12,500	
Personal services:		
Permanent	3,956	
	<hr/>	
Total	\$ 16,456	
Current expenses	1,235	
Travel:		
In state	300	
Out of state	1,000	
Equipment	85	
	<hr/>	
Total		19,076
		<hr/>
Total for executive branch		\$378,251
		<hr/> <hr/>
For adjutant general's department:		
Central administrative office:		
Salary of adjutant general	\$ 13,560	
Other personal services:		
Permanent	59,320	

Other	1,000	
Total	\$ 73,880	
Current expenses	8,600	
Equipment	4,450	
Other expenditures:		
State flags	500	
Total		\$ 87,430
National guard:		
Personal services:		
Other*	\$ 13,000	
Current expenses	2,275	
Travel:		
In state	500	
Out of state	800	
Other expenditures:		
Social security	250	
Total		16,825
*Not to be transferred or expended for any other purpose.		
Armories:		
Personal services:		
Permanent	\$106,310	
Other	1,000	
Total	\$107,310	
Current expenses	95,000	
Equipment	1,450	
Total		203,760
Officers' uniform allowance:		
Current expenses		8,000
State military reservation—Concord:		
Personal services:		
Permanent	\$ 41,351	
Current expenses	35,000	
Travel:		
In state	175	
Equipment	3,200	
Total		79,726

State military reservation—Pease air force base, Portsmouth:		
Personal services:		
Permanent	\$ 13,232	
Current expenses	35,500	
Travel:		
Out of state	200	
	<hr/>	
Total		48,932
New Hampshire military academy		5,000
		<hr/>
Total for adjutant general's department		\$449,673
Less estimated revenue		78,219
		<hr/>
Net appropriation		<u>\$371,454</u>

For administration and control:

Division of budget and control:		
Salary of comptroller	\$ 17,620	
Salary of business supervisor	13,560	
Salary of assistant business supervisors	34,382	
Other personal services:		
Permanent	9,347	
Other	2,500	
	<hr/>	
Total	\$ 77,409	
Current expenses	4,000	
Travel:		
In state	500	
Out of State	500	
Equipment	690	
Other expenditures:		
Firemen's relief	4,000	
League of N. H. arts and crafts	10,000	
New England board of higher education:		
Expenses	11,203	
Grants	50,000	
Oasi contributions:		
State employees	764,311	
Teachers	685,000	
	<hr/>	
Total		<u>\$1,607,613</u>

## Division of accounts:

Salary of director	\$ 13,560
--------------------	-----------

## Other personal services:

Permanent	89,231
Other	2,200

Total	\$104,991
-------	-----------

Current expenses	20,300
------------------	--------

## Travel:

In state	100
----------	-----

Out of state	250
--------------	-----

Equipment	930
-----------	-----

Total	126,571
-------	---------

## Division of investigation of accounts:

## Personal services:

Permanent	\$35,153
-----------	----------

Current expenses	275
------------------	-----

## Travel:

In state	3,500
----------	-------

Equipment	4,000
-----------	-------

Total	42,928
-------	--------

## Division of purchase and property:

Salary of director	\$ 13,621
--------------------	-----------

## Other personal services:

Permanent	80,829
-----------	--------

Other	2,475
-------	-------

Total	\$ 96,925
-------	-----------

Current expenses	4,400
------------------	-------

## Travel:

In state	750
----------	-----

Out of state	450
--------------	-----

Equipment	975
-----------	-----

Total	\$103,500
-------	-----------

## Warehouse division:

## Personal services:

Other	\$ 6,750
-------	----------

Current expenses	10,615	
Equipment	200	
Other expenditures:		
Fixed charges—bond payment and interest	5,873	
Total	\$23,438	
Less estimated revenue	23,438	
Net appropriation	0	
Total for division of purchase and property		103,500
Division of buildings and grounds:		
Personal services:		
Permanent	\$213,306	
Other	1,111	
Total	\$214,417	
Current expenses	98,000	
Travel:		
In state	300	
Out of state	350	
Equipment	400	
Other expenditures:		
Building repairs—contractual	33,900	
Cleaning portraits	1,000	
Equipment—nurses room	2,000†	
	\$350,367	
†This appropriation shall not be transferred or expended for any other purpose.		
Former post office building:		
Personal services:		
Permanent	\$12,340	
Other	300	
Total	\$ 12,640	
Current expenses	14,509	
Total	\$ 27,149	
Total for division of buildings and grounds		377,516

## Mailing division:

## Personal services:

Permanent

\$ 14,752

Current expenses

882

Total

15,634

## Telephone switchboard division:

## Personal services:

Permanent

\$ 12,903

Other

1,800

Total

\$ 14,703

Current expenses

22,575

Equipment

790

Total

38,068

Note: The comptroller shall take such action as is necessary for the installation of a Centrex telephone system. It is recommended that the control room and equipment for the Centrex telephone system should be installed in a building other than the state house.

## Division of records management and archives:

Salary of director

\$ 9,620

## Personal services:

Permanent

8,859

Other

250

Total

\$ 18,729

Current expenses

3,700

## Travel:

In state

50

Out of state

150

Total

22,629

## State historical commission:

## Personal services:

Other

\$ 500

Current expenses†

2,500

## Travel:

In state

500

Out of state

100

Total

3,600

‡In this appropriation \$2,000 shall be for printing and binding and shall not lapse until June 30, 1969.

N. H. distributing agency:

Surplus foods division:

Salary of director\* \$ 10,560

Other personal services:

Permanent 33,404

Other 4,000

---

Total \$ 47,964

Current expenses 16,875

Travel:

In state 2,000

Out of state 250

Equipment 3,700

Other expenditures:

Oasi and retirement 4,148

Blue cross and insurance 375

---

Total \$ 75,312

Less estimated revenue and balance‡ 75,312

---

Net appropriation

0

Surplus property division:

Salary of deputy director \$ 8,560

Other personal services:

Permanent 10,780

Other 1,000

---

Total \$20,340

Current expenses 16,450

Travel:

In state 600

Out of state 625

Equipment 350

Other expenditures:

Oasi and retirement 1,759

Blue cross and insurance 141

---

Total \$ 40,265

Less estimated revenue and balance‡ 40,265

---

Net appropriation

0



†Authority is hereby given to utilize so much as may be necessary of the balance accumulated at June 30, 1967, or any surplus accumulating during the fiscal year 1968 within this subdivision, with approval of the governor and council, to efficiently operate this division without the use of any other state funds.

\*With the approval of the governor and council the director of the New Hampshire distributing agency is authorized to transfer personnel, appropriations or portions thereof, as well as equipment, between the subdivisions of the agency. Such transfers shall not place an unwarranted demand upon the fund balances of either surplus food or surplus property.

Total for administration and control	\$2,338,059
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For agriculture:

Office of commissioner:

Salary of commissioner	\$ 13,385
------------------------	-----------

Other personal services:

Permanent	47,298
-----------	--------

Total	\$ 60,683
-------	-----------

Current expenses	14,475
------------------	--------

Travel:

In state	3,800
----------	-------

Out of state	1,800
--------------	-------

Other expenditures:

Feed, seed and fertilizer analytical services	28,560
---	--------

Agricultural marketing and research program	1,200
---	-------

Total	\$110,518
-------	-----------

Less estimated federal funds	7,500
------------------------------	-------

Net appropriation	\$103,018
-------------------	-----------

Pesticide control:

Personal services:

Permanent	\$ 11,328
-----------	-----------

Current expenses	940
------------------	-----

Travel:

In state	1,260
----------	-------

Out of state	400
--------------	-----

Other expenditures:

Expense re pesticide control law	10,000
----------------------------------	--------

Total	\$ 23,928
-------	-----------

Less estimated revenue	24,000
------------------------	--------

Net appropriation	—72
-------------------	-----

## Division of markets and standards:

## Bureau of markets:

## Personal services:

Permanent	\$ 48,678
-----------	-----------

Current expenses	16,850
------------------	--------

## Travel:

In state	2,745
----------	-------

Out of state	350
--------------	-----

Equipment	2,550
-----------	-------

## Other expenditures:

Cooperative grant to New England crop reporting service	800
---	-----

Rodent control work in cooperation with federal government	150
--	-----

Federal supervision in connection with farm produce inspection	50
--	----

Total	<hr/> 72,173
-------	--------------

## Bureau of weights and measures:

## Personal services:

Permanent	\$ 45,429
-----------	-----------

Current expenses	3,865
------------------	-------

## Travel:

In state	5,400
----------	-------

Out of state	350
--------------	-----

Equipment	12,100
-----------	--------

Total	\$ 67,144
-------	-----------

Less estimated revenue	25,000
------------------------	--------

Net appropriation	<hr/> 42,144
-------------------	--------------

## Division of animal industry:

Salary of state veterinarian	\$ 10,521
------------------------------	-----------

## Other personal services:

Permanent	60,535
-----------	--------

Total	\$ 71,056
-------	-----------

Current expenses	13,300
------------------	--------

## Travel:

In state	6,800
----------	-------

Out of state	550
--------------	-----

Equipment	4,925
-----------	-------

## Other expenditures:

Veterinary services—other than testing	3,000
--	-------

Tubercular testing	25,500	
Brucellosis, vibrosis, and leptospirosis testing	30,000	
Testing for mastitis control	500	
Indemnities for condemned animals	700	
Diagnostic services for domestic animals	12,000	
	<hr/>	
Total	\$168,331	
Less estimated revenue	32,500	
	<hr/>	
Net appropriation		135,831
Division of insect and plant disease suppression and control:		
Salary of state entomologist	\$ 3,680	
Other personal services:		
Permanent	20,164	
Other	7,130	
	<hr/>	
Total	\$ 30,974	
Current expenses	1,200	
Travel:		
In state	4,190	
Out of state	400	
Equipment	4,054	
	<hr/>	
Total		40,818
Veterinary examiners		750
Licensing of live poultry dealers		140
Soil conservation districts (10)		2,500
Grants:		
State soil conservation committee	\$ 300	
Eastern states exhibit	2,000	
	<hr/>	
Total		2,300
		<hr/>
Total for department of agriculture		<u>\$399,602</u>

Note: Any balance at June 30, 1967 in the pesticide control law account shall lapse at July 1, 1967, to the general fund.

For attorney general's department:	
Salary of attorney general	\$ 16,416
Salary of deputy attorney general	13,800
Salaries of four assistant attorneys general	48,600

Other personal services:	
Permanent	63,305
Other	1,000
	<hr/>
Total	\$143,121
Current expenses	6,915
Travel:	
In state	2,500
Out of state	1,300
Equipment	4,115
Other expenditures:	
Subversive investigation*	500
Commission on uniform laws	1,500
Reports and opinions**	2,500
Services of consultant on organized crime	1,000
	<hr/>
Total	\$163,451
Less estimated revenue	12,000
	<hr/>
Net appropriation	\$151,451

\*No part of this appropriation shall be expended without approval of the governor and council, and no part of said appropriation shall be transferred or expended for any other purpose.

\*\*This appropriation shall cover the expense of printing certain reports and also the expense of a part-time trainee in the office not exceeding five hundred dollars. No part of this appropriation shall be transferred or expended for any other purpose than herein set forth. This appropriation shall not lapse but shall be available for expenditure in the ensuing year.

Legal assistance for land acquisition:	
Salaries of three assistant attorneys general	\$ 39,600
Other personal services:	
Permanent	25,372
	<hr/>
Total	\$ 64,972
Current expenses	2,770
Travel:	
In state	1,500
Out of state	500
Equipment	1,160
	<hr/>
Total	\$ 70,902
Less transfer from highway fund	70,902
	<hr/>
Net appropriation	

## Division of charitable trusts:

Salary of director	\$6,000
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## Other personal services:

Permanent	11,142
-----------	--------

Other	500
-------	-----

Total	\$17,642
-------	----------

Current expenses	400
------------------	-----

## Travel:

In state	100
----------	-----

Out of state	100
--------------	-----

Equipment	1,180
-----------	-------

## Other expenditures:

Printing — directory†	1,200
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Total	\$20,622
-------	----------

Less estimated revenue	500
------------------------	-----

Net appropriation	20,122
-------------------	--------

†This appropriation shall not be transferred or expended for any other purpose and any unexpended balance shall not lapse at June 30, 1968.

Total for attorney general	\$171,573
----------------------------	-----------

## For department of health &amp; welfare:

## Office of commissioner of health &amp; welfare:

Salary of commissioner	\$16,000
------------------------	----------

## Other personal services:

Permanent	208,373
-----------	---------

Other	2,000
-------	-------

Total	\$226,373
-------	-----------

Current expenses	53,700
------------------	--------

## Travel:

In state	1,500
----------	-------

Out of state	1,400
--------------	-------

Equipment	1,065
-----------	-------

## Other expenditures:

Oasi and retirement	18,000
---------------------	--------

Total for office of commissioner	\$302,038
----------------------------------	-----------

Note: The incumbent occupying the unclassified position of Business Supervisor prior to the effective date of this act shall have transferred with

him to the new classified position of Business Supervisor the equivalent amount of accrued annual and sick leave credits as authorized classified personnel.

Advisory commission:

Personal services:

Other \$1,500

Current expenses 800

Travel:

In state 1,000

Out of state 900

---

Total for advisory commission 4,200

Division of public health services:

Administration:

Salary of director of  
public health services \$16,800

Other personal services:

Permanent 36,660

---

Total \$53,460

Current expenses 15,000

Travel:

In state 1,150

Out of state 7,125

Equipment 550

Other expenditures:

Oasi and retirement 7,000

Blue cross and insurance 952

---

Total \$85,237

Less credit transfers 8,000

Less estimated federal funds 39,000

---

Net appropriation \$38,237

Business management:

Personal services:

Permanent \$22,046

Other 150

---

Total \$22,196

Current expenses 3,200

Travel:		
In state	400	
Equipment	2,450	
Other expenditures:		
Merit system participation	3,500	
Apha examinations	2,200	
	<hr/>	
Total	\$33,946	
Less estimated federal funds	25,800	
	<hr/>	
Net appropriation		8,146
Special health services:		
Personal services:		
Permanent	\$16,161	
Other	10,200	
	<hr/>	
Total	\$26,361	
Current expenses	19,000	
Travel:		
In state	400	
Equipment	450	
Other expenditures:		
Chronic illness	60,000	
Sight conservation	29,000	
	<hr/>	
Total	\$135,211	
Less estimated federal funds	80,000	
	<hr/>	
Net appropriation		55,211
Hospital services:		
Personal services:		
Permanent	\$42,642	
Other	21,100	
	<hr/>	
Total	\$63,742	
Current expenses	700	
Travel:		
In state	2,500	
	<hr/>	
Total	\$66,942	
Less estimated federal funds	19,000	
	<hr/>	
Net appropriation		47,942

## Vital statistics:

## Personal services:

Permanent	\$46,207
Other	500

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Total	\$46,707
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Current expenses	11,440
------------------	--------

Equipment	480
-----------	-----

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Total	\$58,627
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Less estimated federal funds	14,200
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Net appropriation	44,427
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## Public health nursing:

## Personal services:

Permanent	\$160,254†
Other	3,000

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Total	\$163,254
-------	-----------

Current expenses	9,300
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## Travel:

In state	14,250
----------	--------

Equipment	1,300
-----------	-------

## Other expenditures:

Training	500
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Total	\$188,604
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Less estimated federal funds	85,200
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Net appropriation	103,404
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†The nurse assigned to the State House first aid room shall be classified as a Public Health Nurse II.

## Communicable disease control:

## Personal services:

Permanent	\$48,296
Other	7,500

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Total	\$55,796
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Current expenses	35,000
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## Travel:

In state	2,500
----------	-------

Equipment	950
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Total	\$94,246
-------	----------



Less estimated federal funds	22,000	
Net appropriation		72,246
Dental public health:		
Personal services:		
Permanent	\$39,757	
Other	24,000	
Total	\$63,757	
Current expenses	1,950	
Travel:		
In state	2,500	
Equipment	715	
Total	\$68,922	
Less estimated federal funds	25,000	
Net appropriation		43,922
Maternal child health and crippled children's services:		
Personal services:		
Permanent	\$66,408	
Other	44,000	
Total	\$110,408	
Current expenses	125,000	
Travel:		
In state	2,200	
Equipment	510	
Other expenditures:		
Children's program	25,000	
Cystic fibrosis	10,000	
Rehabilitation*	120,000	
Poison information center	3,700	
Total	\$396,818	
Less estimated federal funds	280,200	
Net appropriation		116,618

\*The division of investigation of accounts shall investigate the payment ability of liable persons as provided by RSA 8:40. Expenditure of this appropriation contingent upon 50-50 matching by federal funds.

## Occupational health:

## Personal services:

Permanent	\$79,608	
-----------	----------	--

Current expenses	3,700	
------------------	-------	--

## Travel:

In state	4,800	
----------	-------	--

Equipment	3,460	
-----------	-------	--

Total	\$91,568	
-------	----------	--

Less estimated federal funds	24,000	
------------------------------	--------	--

Net appropriation		67,568
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## Food and chemistry:

## Personal services:

Permanent	\$124,222	
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Other	1,000	
-------	-------	--

Total	\$125,222	
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Current expenses	5,000	
------------------	-------	--

## Travel:

In state	16,000	
----------	--------	--

Equipment	650	
-----------	-----	--

Total		146,872
-------	--	---------

## Laboratory services:

## Personal services:

Permanent	\$87,907	
-----------	----------	--

Other	28,000	
-------	--------	--

Total	\$115,907	
-------	-----------	--

Current expenses	25,000	
------------------	--------	--

Total	\$140,907	
-------	-----------	--

Less estimated federal funds	55,000	
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Net appropriation		85,907
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## Health insurance benefits:

## Personal services:

Permanent	\$9,031	
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Other	39,345	
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Total	\$48,376	
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Current expenses	3,560	
------------------	-------	--

Travel:		
In state	5,200	
Out of state	2,000	
Equipment	300	
Other expenditures:		
Blue cross, retirement, oasi	6,124	
Total	\$65,560	
Less estimated federal funds	65,560	
Net appropriation		0
Home health services:		
Personal services:		
Other	\$10,700	
Current expenses	1,000	
Travel:		
In state	500	
Equipment	300	
Other expenditures:		
Local support	62,500	
Total	\$75,000	
Less estimated federal funds	75,000	
Net appropriation		0
Alcoholism:		
Personal services:		
Permanent	\$80,350	
Other	5,600	
Total	\$85,950	
Current expenses	7,750	
Travel:		
In state	3,200	
Equipment	450	
Total		97,350
Tuberculosis grant:		
Personal services:		
Other	\$31,000	
Current expenses	1,200	

## Travel:

In state	2,300
Out of state	500

Total†	\$35,000
Less estimated federal funds†	35,000

Net appropriation 0

†If the federal grant is less than the estimate shown herein, the total appropriation shall be reduced in like proportion.

## Vaccination grant:

## Personal services:

Other	\$17,000
Current expenses	11,700

## Travel:

In state	3,600
Out of state	2,000

Other expenditures 2,700

Total†	\$37,000
Less estimated federal funds†	37,000

Net appropriation 0

†If the federal grant is less than the estimate shown herein, the total appropriation shall be reduced in like proportion.

Hospital construction	\$1,250,000
Less estimated federal funds	1,250,000

Net appropriation 0

Net appropriation for the division  
of public health 927,850

## Sanatorium:

## Administration:

Salary of superintendent	\$15,121
Other personal services:	
Permanent	17,317

Total	\$32,438
Current expenses	2,600

## Travel:

In state	580
----------	-----

Out of state	845	
Equipment	450	
Total		\$36,913

## Profession care:

## Personal services:

Permanent	\$156,801
Other	6,000

Total	\$162,801
Current expenses	17,000
Equipment	1,750

Total	181,551
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## Custodial care:\*

## Personal services:

Permanent	\$81,666
Other	2,200

Total	\$83,866
Current expenses	28,350
Equipment	1,900

Total	114,116
-------	---------

\*In this appropriation \$6,500 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose. The institution's farm shall receive credit for all products used even though in excess of \$6,500.

## Operation of plant:

## Personal services:

Permanent	\$65,253
Other	400

Total	\$65,653
Current expenses	22,000
Equipment	2,475

## Other expenditures:

Cutting wood and lumber for institutional use and rental of farm equipment	1,000
--	-------

Total	91,128
-------	--------

## Maintenance of Plant:

## Personal services:

Permanent	300
Current expenses	8,000
Other expenditures	7,500

---

Total	15,800
-------	--------

## Agriculture:

## Personal services:

Permanent	\$13,120
Other	750

---

Total	\$13,870
-------	----------

Current expenses	5,500
------------------	-------

Equipment	400
-----------	-----

---

Total	\$19,770
-------	----------

Less credit transfers	8,300
-----------------------	-------

Less estimated revenue	10,585
------------------------	--------

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Net appropriation	885
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Total	\$440,393
-------	-----------

Less refunds (maintenance)	7,500
----------------------------	-------

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Net appropriation for sanatorium	432,893
----------------------------------	---------

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Total for division of public health services	\$1,666,981
--	-------------

## Division of public welfare:

## Administration:

Salary of director	\$13,620
--------------------	----------

## Other personal services:

Permanent	263,054
-----------	---------

Other	50,890
-------	--------

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Total	\$327,564
-------	-----------

Current expenses	32,840
------------------	--------

## Travel:

In state	8,100
----------	-------

Out of state	3,228
--------------	-------

Equipment	16,919
-----------	--------

## Other expenditures:

Social security	58,000
-----------------	--------

Blue cross and insurance	8,000
--------------------------	-------

Merit system	5,187
--------------	-------

Educational leave	12,500
Employees retirement	69,823
Physical examinations	1,000
Operational costs (title XIX)	102,050

---

Total	\$645,211
-------	-----------

## Field service:

## Personal services:

Permanent	\$882,349
Other	1,000

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Total	\$883,349
-------	-----------

Current expenses*	115,000
-------------------	---------

## Travel:

In state	40,000
Out of state	500

Equipment	12,000
-----------	--------

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Total	1,050,849
-------	-----------

\*Within this appropriation \$40,000 shall be for rent and shall not be transferred or used for any other purpose.

## Blind services:

## Personal services:

Permanent	\$25,467
Current expenses	1,000

## Travel:

In state	2,800
Out of state	375

## Other expenditures:

Education of blind	75,000
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Total	104,642
-------	---------

## Child welfare services:

## Personal services:

Permanent	\$446,050
Other	3,200

---

Total	\$449,250
-------	-----------

## Travel:

In state	50,000
Out of state	5,000

Equipment	6,005
-----------	-------

## Other expenditures:

Educational leave	12,500
-------------------	--------

Institutes and conferences	750	
Specialized services	700	
Special children's fund	11,000	
Foster care	4,500	
	<hr/>	
Total	\$539,705	
Less estimated federal funds	215,408	
	<hr/>	
Net appropriation		324,297
Vocational rehabilitation:		
Personal services:		
Permanent	\$38,963	
Current expenses	2,000	
Travel:		
In state	3,100	
Out of state	535	
Other expenditures:		
Case services	22,000	
Business enterprises	10,000	
In service training	1,700	
Disability insurance beneficiaries	10,000	
	<hr/>	
Total	\$88,298	
Less estimated federal funds	70,314	
	<hr/>	
Net appropriation		17,984
Workshop demonstration project:		
Personal services:		
Permanent	\$26,851	
Current expenses	5,700	
Travel:		
In state	1,450	
Out of state	350	
Equipment	1,500	
Other expenditures:		
Oasi and retirement	2,400	
Blue cross	200	
	<hr/>	
Total	\$38,451	
Less estimated federal funds	13,530	
	<hr/>	
Net appropriation		24,921
John Nesmith fund		3,700



Old age assistance:		
State's share	\$886,661	
Less estimated revenue	100,000	
	<hr/>	
Net appropriation		786,661
Towns and counties	\$1,307,133	
Less estimated revenue	1,307,133	
	<hr/>	
Net appropriation		0
Federal	\$3,034,737	
Less estimated revenue	3,034,737	
	<hr/>	
Net appropriation		0
Old age assistance to aliens:		
Towns and counties	\$197,833	
Less estimated revenue	277,833	
	<hr/>	
Net appropriation		—80,000
Federal	\$276,488	
Less estimated revenue	276,488	
	<hr/>	
Net appropriation		0
Aid to dependent children:		
State's share	\$1,228,953	
Less estimated revenue	140,000	
	<hr/>	
Net appropriation		1,088,953
Federal	\$1,727,146	
Less estimated revenue	\$1,727,146	
	<hr/>	
Net appropriation		0
Aid to needy blind:		
State's share	\$157,505	
Less estimated revenue	2,500	
	<hr/>	
Net appropriation		155,005
Federal	\$223,356	
Less estimated revenue	223,356	
	<hr/>	
Net appropriation		0

## Aid to permanently and totally disabled:

State's share	\$60,945	
Less estimated recoveries	6,500	
	<hr/>	
Net appropriation		54,445
Towns and counties*	\$340,539	
Less estimated revenue	340,539	
	<hr/>	
Net appropriation		0
Federal	\$571,485	
Less estimated revenue	571,485	
	<hr/>	
Net appropriation		0
Medical care and services:		
Categorically needy	\$2,487,419	
Medically needy	660,849	
	<hr/>	
Total	\$3,148,268	
Less local share	323,225	
Less federal share	1,892,740	
	<hr/>	
Net appropriation		932,303
		<hr/>
Total for division of welfare		\$5,108,971
Less town and county share of		
oasi administration	\$10,000	
Less transfer re administration		
from federal grants	1,040,410	
Less recoveries from past		
medical aid to aged	3,000	1,053,410
	<hr/>	<hr/>
Net appropriation for division of welfare		4,055,561

\*For the fiscal year ending June 30, 1968 the share which a county or town must reimburse the state for aid to totally and permanently disabled persons for which such county or town is liable shall be thirty-five percent. Provisions of the law inconsistent with the provision hereof are hereby suspended until June 30, 1968.

## Division of mental health:

Office of director:	
Salary of director	\$27,375
Other personal services:	
Permanent	20,310
	<hr/>
Total	\$47,685
Current expenses	4,500

## Travel:

In state	900
----------	-----

Out of state	1,250
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Equipment	985
-----------	-----

## Other expenditures:

Grants to community mental health services*	600,000
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Total	655,320
-------	---------

\*These funds shall be expended for no other purpose, shall be non-lapsing in the first year of the biennium, and if sufficient funds are not available for both years of the biennium for full implementation, these funds shall be prorated.

## Mental retardation planning and implementation:

## Personal services:

Other	\$16,000
-------	----------

Current expenses	750
------------------	-----

## Travel:

In state	500
----------	-----

## Other expenditures:

Retirement	250
------------	-----

Total	\$17,500
-------	----------

Less estimated federal funds	17,500
------------------------------	--------

Net appropriation	0
-------------------	---

Total for office of director	655,320
------------------------------	---------

## Laconia state school:

## Administration:

Salary of superintendent	\$16,620
--------------------------	----------

Salary of deputy superintendent	18,060
---------------------------------	--------

## Other personal services:

Permanent	75,452
-----------	--------

Other	1,000
-------	-------

Total	\$111,132
-------	-----------

Current expenses	3,000
------------------	-------

## Travel:

In state	750
----------	-----

Out of state	500
--------------	-----

Equipment	650
-----------	-----

Total	\$116,032
-------	-----------

## Professional care and treatment:

## Personal services:

Permanent	\$1,182,550
-----------	-------------

Other	13,000
-------	--------

Total	\$1,195,550
-------	-------------

Current expenses	30,000
------------------	--------

## Travel:

In state	50
----------	----

Equipment	7,000
-----------	-------

Total	1,232,600
-------	-----------

## Custodial care:

## Personal services:

Permanent	\$259,915
-----------	-----------

Other	2,000
-------	-------

Total	\$261,915
-------	-----------

Current expenses	\$64,325
------------------	----------

Purchases from institution's farm†	82,500
------------------------------------	--------

Purchases of food††	115,000
---------------------	---------

Total current expenses	\$261,825
------------------------	-----------

## Travel:

In state	\$100
----------	-------

Equipment	6,000
-----------	-------

Total	529,840
-------	---------

†In this appropriation \$82,500 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose. The institution's farm shall receive credit for all products used even though in excess of \$82,500.

††Shall not be transferred or used for any other purpose.

## Operation of plant:

## Personal services:

Permanent	\$77,168
-----------	----------

Current expenses	94,720
------------------	--------

Equipment	4,000
-----------	-------

## Other expenditures:

Tree removal	1,250
--------------	-------

Lumber*	2,000
---------	-------

Total	179,138
-------	---------

\*This appropriation of \$2,000 shall be for lumber used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose. The institution's farm shall receive credit for all lumber used even though in excess of \$2,000.

Maintenance of plant:

Personal services:

Permanent	\$49,859
-----------	----------

Current expenses	20,000
------------------	--------

Other expenditures:

Care of grounds*	14,500
------------------	--------

Special maintenance projects	35,800
------------------------------	--------

Total	120,159
-------	---------

\*The institution's farm shall receive credit for all supplies, work and services rendered even though in excess of \$14,500. No part of this appropriation shall be transferred or used for any other purpose.

Agriculture:

Personal services:

Permanent	\$68,478
-----------	----------

Other	1,250
-------	-------

Total	\$69,728
-------	----------

Current expenses	46,785
------------------	--------

Travel:

In state	25
----------	----

Equipment	5,000
-----------	-------

Total	\$121,538
-------	-----------

Less credit transfers	99,000
-----------------------	--------

Less estimated revenue	6,000
------------------------	-------

Net appropriation	16,538
-------------------	--------

Training and education:

Personal services:

Permanent	\$259,995
-----------	-----------

Other	7,000
-------	-------

Total	\$266,995
-------	-----------

Current expenses	9,000
------------------	-------

Travel:

In state	1,000
----------	-------

Equipment	4,650
-----------	-------

Other expenditures:		
Work incentive program	2,500	
	<hr/>	
Total		284,145
In service training:		
Personal services:		
Other	\$18,500	
Current expenses	1,000	
Travel:		
In state	200	
Out of state	300	
Equipment	500	
Other expenditures	1,500	
	<hr/>	
Total	\$22,000	
Less estimated federal funds†	22,000	
	<hr/>	
Net appropriation		0

†If the federal grant received is less than the estimate, expenditures shall be correspondingly reduced.

Hospital improvement:		
Personal services:		
Other	\$66,576	
Current expenses	6,474	
Travel:		
In state	900	
Equipment	3,822	
	<hr/>	
Total	\$77,772	
Less estimated federal funds*	77,772	
	<hr/>	
Net appropriation		0

\*If the federal grant received is less than the estimate shown, expenditures shall be correspondingly reduced.

Total for Laconia state school	\$2,478,452	
Less refunds (maintenance)	17,500	
	<hr/>	
Net appropriation		2,460,952
New Hampshire hospital:		
Administration:		
Salary of superintendent	\$25,096	
Salary of assistant superintendent	17,720	

Other personal services:		
Permanent	138,928	
Other	1,000	
	<hr/>	
Total	\$182,744	
Current expenses	35,000	
Travel:		
In state	200	
Out of state	1,000	
Equipment	7,260	
	<hr/>	
Total		\$226,204
Research:		
Other expenditures		38,000
Professional care and treatment:		
Personal services:		
Unclassified	\$314,412	
Permanent	3,429,249	
Other	137,386	
	<hr/>	
Total		\$3,881,047
Current expenses†	63,834	
Drugs:		
Outpatients*	15,000	
Inpatients	130,000	
	<hr/>	
Total current expenses	\$208,834	
	<hr/>	
Travel:		
In state	4,000	
Out of state	3,611	
Equipment	25,000	
	<hr/>	
Total		4,122,492

†No charge against this appropriation or any other appropriation of the New Hampshire hospital shall be made for nurses uniforms. This appropriation includes \$1,500 for printing a brochure for school of nursing, which shall not be transferred or expended for any other purpose.

\*Payment ability for reimbursement to the state shall be the responsibility of the division of investigation of accounts.

Custodial care:

    Personal services:

Permanent	\$797,481
-----------	-----------

Other	15,000	
	<hr/>	
Total	\$812,481	
Current expenses†	730,400	
Travel:		
In state	25	
Equipment	35,000	
	<hr/>	
Total		1,577,906

†In this appropriation \$140,400 shall be for products used for the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose. The institution's farm shall receive credit for all products used even though in excess of \$140,400.

Operation of plant:		
Personal services:		
Permanent	\$251,087	
Other	13,000	
	<hr/>	
Total	\$264,087	
Current expenses	240,000	
Travel:		
In state	20	
Equipment	16,400	
	<hr/>	
Total		520,507
Maintenance of plant:		
Personal services:		
Permanent	\$290,236	
Other	350	
	<hr/>	
Total	\$290,586	
Current expenses	55,522	
Equipment	2,725	
Other expenditures:		
Contractual repairs†	55,950	
	<hr/>	
Total		404,783

†No part of this appropriation shall be transferred or expended for any other purpose.

Agriculture:	
Personal services:	
Permanent	\$78,139



Other	8,000	
Total	<u>\$86,139</u>	
Current expenses	50,000	
Travel:		
In state	25	
Equipment	<u>4,500</u>	
Total	\$140,664	
Less credit transfers	140,400	
Less estimated revenue	<u>4,200</u>	
Net reduction		-3,936
Pathology laboratory:		
Personal services:		
Permanent	\$16,246	
Other	<u>15,100</u>	
Total	\$31,346	
Current expenses	750	
Equipment	<u>2,544</u>	
Total		34,640
Federal funds:		
Personal services:		
Permanent	\$64,682	
Other	<u>36,123</u>	
Total	\$100,805	
Current expenses	6,550	
Travel:		
In state	300	
Out of state	1,750	
Equipment	1,700	
Other expenditures	<u>29,917</u>	
Total	\$141,022	
Less estimated federal funds	<u>141,022</u>	
Net appropriation		0
Total for New Hampshire hospital	\$6,920,596	
Less refunds (maintenance)	<u>63,500</u>	
Net appropriation		6,857,096

Note: Appropriations for current expenses and equipment shall not be transferred or expanded for any other purpose.

Child guidance clinics:

State funds:

Personal services:

Permanent \$ 89,750

Other 1,500

---

Total \$ 91,250

Current expenses 5,500

Travel:

In state 350

Equipment 2,000

Other expenditures:

Training program 4,500

---

Total 103,600

Federal funds:

Personal services:

Permanent \$ 38,456

Other 5,500

---

Total \$ 43,956

Current expenses 1,000

Travel:

Out of state 2,000

Other expenditures:

Oasi and retirement 2,000

Consultants 4,835

Merit system 336

Grants to communities† 10,873

---

Total\* \$ 65,000

Less estimated federal funds\* 65,000

---

Net appropriation 0

Total for child guidance clinics 103,600

†If eligible communities fail to qualify for grants under this appropriation, said appropriation may be spent for other purposes of the child guidance clinics with approval of the governor and council.

\*This amount available for expenditure only if funds are available as a federal grant.

Total for division of mental health	\$10,076,968
Total for department of health and welfare	<u>\$15,799,510</u>

Note: If under the department of health and welfare any grant received is less than estimated, the total appropriation shall be reduced by the amount of reduction in federal estimates and the applicable state matching funds.

For barbers board:

Personal services:

Other \$ 1,870

Current expenses 700

Travel:

In state 1,500

Out of state 350

Other expenditures:

Transfer to board of hairdressers for salary of  
clerk IV and temporary clerk—typist I 2,500

Total for barbers board \$ 6,920

For cancer commission:

State funds:

Personal services:

Permanent \$ 14,416

Other 19,850

Total \$ 34,266

Current expenses 153,738

Travel:

In state 700

Total \$188,704

Federal funds:

Personal services:

Permanent \$ 8,626

Other expenditures:

Cancer registration and other  
cancer control activities 16,374

Total\* \$ 25,000

Less estimated federal funds*	25,000	
	<hr/>	
Net appropriation		0
		<hr/>
Total for cancer commission		<u>\$188,704</u>

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate, such excess may be expended for said purposes with approval of the governor and council.

For dental board:

Personal services:		
Other	\$ 1,030	
Current expenses	375	
Travel:		
In state	150	
Out of state	700	
	<hr/>	
Total for dental board		<u>\$ 2,255</u>

For board of registration of funeral directors and embalmers:

Personal services:		
Other	\$ 735	
Current expenses	600	
Travel:		
In state	400	
Out of state	400	
Other expenditures:		
Training and examinations	350	
	<hr/>	
Total for board of registration of funeral directors and embalmers		<u>\$ 2,485</u>

For board of hairdressers:

Personal services:		
Permanent	\$ 10,969	
Other	2,919	
	<hr/>	
Total	\$ 13,888	
Current expenses	1,500	
Travel:		
In state	2,700	
Out of state	350	

## Other expenditures:

Teachers seminar	500
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Total	\$ 18,938
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Less transfer from barbers board	2,500
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Net appropriation for board of hairdressers	<u>\$ 16,438</u>
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## For board of registration in medicine:

## Personal services:

Other	\$ 1,520
-------	----------

Current expenses	2,200
------------------	-------

## Travel:

In state	300
----------	-----

Out of state	300
--------------	-----

Total for board of registration in medicine	<u>\$ 4,320</u>
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## For pharmacy commission:

## Personal services:

Other	\$ 6,625
-------	----------

Current expenses	1,025
------------------	-------

## Travel:

In state	1,200
----------	-------

Out of state	500
--------------	-----

Total for pharmacy commission	<u>\$ 9,350</u>
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## For board of registration in podiatry:

## Personal services:

Other	\$ 210
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Current expenses	50
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## Travel:

In state	50
----------	----

Total for board of registration in podiatry	<u>\$ 310</u>
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## For veterans council:

Salary of director	\$ 9,600
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## Other personal services:

Permanent	15,021
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Total	<u>\$ 24,621</u>
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Current expenses	990
------------------	-----

Travel:		
In state		1,665
Out of state		150
Equipment		1,270
Other expenditures:		
Veterans burials		4,000
		<hr/>
Total		\$ 32,696
Less estimated refunds		500
		<hr/>
Net appropriation for veterans council		<u>\$ 32,196</u>

## For insurance department:

## Office of commissioner:

Salary of commissioner	\$ 15,181
Salary of deputy commissioner	12,285
Salary of assistant to commissioner	9,375
Other personal services:	
Permanent	69,901
Other*	2,000

Total	<hr/> \$108,742
Current expenses†	12,224

## Travel:

In state	100
Out of state	1,500
Equipment	940
Other expenditures:	
Reimbursement for prior travel	161

Total	<hr/> \$123,667
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\*Not to be transferred or used for any other purpose than for actuarial services.

†In this appropriation \$3,200 is for printing insurance laws and shall not be transferred or expended for any other purpose.

## Rating division:

## Personal services:

Permanent	\$ 19,780
Current expenses	1,400

## Travel:

In state	50
Out of state	500
Equipment	200

## Other expenditures:

## Consulting services:

Variable annuities	5,000
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Total	26,930
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## Real estate division:

## Personal services:

Permanent	\$ 14,763
-----------	-----------

Other—per diem	2,500
----------------	-------

Total	\$ 17,263
-------	-----------

Current expenses	7,500
------------------	-------

## Travel:

In state	100
----------	-----

Out of state	750
--------------	-----

Equipment	855
-----------	-----

## Other expenditures:

Printing real estate roster‡	1,000
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Total	27,448
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Total for insurance department	\$178,045
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‡This appropriation shall not be expended or transferred for any other purpose.

## For department of labor:

## Office of commissioner:

Salary of commissioner	\$ 12,500
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Salary of deputy commissioner	8,300
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## Other personal services:

Permanent	15,590
-----------	--------

Other	1,770
-------	-------

Total	\$ 38,160
-------	-----------

Current expenses	7,039
------------------	-------

## Travel:

In state	600
----------	-----

Out of state	1,000
--------------	-------

Equipment	1,070
-----------	-------

Total	\$ 47,869
-------	-----------

## Inspection division:

## Personal services:

Permanent	\$ 56,270
-----------	-----------

Current expenses	1,400
------------------	-------

## Travel:

In state	8,800
----------	-------

Equipment	8,000
-----------	-------

Total	74,470
-------	--------

## Workmen's compensation division:

## Personal services:

Permanent	\$ 37,832
-----------	-----------

Current expenses	2,800
------------------	-------

Equipment	670
-----------	-----

Total	41,302
-------	--------

## Division of labor statistics:

## Personal services:

Permanent	\$ 19,742
-----------	-----------

Current expenses	6,440
------------------	-------

Equipment	220
-----------	-----

Total	26,402
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## New Hampshire apprenticeship council:

## Other expenditures:

Apprenticeship council	350
------------------------	-----

Total for department of labor	\$190,393
-------------------------------	-----------

Note: Wage adjustment and wage claim payments unclaimed by recipients in the amount of \$838.27 shall lapse to the general fund at July 1, 1967.

## For personnel department:

Salary of director	\$ 13,620
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Salary of deputy director	10,929
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## Other personal services:

Permanent	90,647
-----------	--------

Other	1,550
-------	-------

Total	\$116,746
-------	-----------

Current expenses	7,000
------------------	-------



## Travel:

In state	1,500
Out of state	600
Equipment	1,195

## Other expenditures:

Oasi and retirement	685
Blue cross and insurance	47

Total	<u>\$127,773</u>
Less estimated revenue†	1,000
Less estimated federal funds	<u>15,273</u>

Net appropriation for personnel department \$111,500

†Revenue in excess of the estimate resulting from municipal examinations may be expended with prior approval of the governor and council.

## For resources and economic development:

## Office of commissioner:

## Administration, warehouse and graphic arts:

Salary of commissioner	\$ 15,000
Other personal services:	
Permanent	182,472
Other	8,400

Total	<u>\$205,872</u>
Current expenses	18,745

## Travel:

In state	2,000
Out of state	900
Equipment	<u>7,520</u>

        Total \$235,037

## Design, development and maintenance:

## Personal services:

Permanent	\$ 91,716
Other	<u>2,940</u>

Total	<u>\$ 94,656</u>
Current expenses	4,975

## Travel:

In state	1,500
Out of state	150

Equipment	2,104	
Total	<u>\$103,385</u>	
Less maintenance refunds	410	
	<u></u>	
Net appropriation		102,975
Community recreation service:		
Personal services:		
Permanent	\$ 12,579	
Current expenses	965	
Travel:		
In state	1,115	
Out of state	300	
	<u></u>	
Total		14,959
		<u></u>
Total for office of commissioner		\$352,971
Division of resources development:		
Salary of director	\$13,621	
Other personal services:		
Permanent	296,463	
Other†	39,819	
	<u></u>	
Total	\$349,903	
Current expenses	26,500	
Travel:		
In state	17,820	
Out of state	900	
Equipment	22,200	
Other expenditures:		
State's share of town warden training expenses	3,000	
State's share of town prevention bills	2,200	
Plant maintenance—repairs to machines and equipment	4,075	
Repairs to buildings	3,300	
	<u></u>	
Total	\$429,898	
Less revenue:		
Clarke-McNary law—sections 2 & 4	106,000	
Forest pest and disease	15,000	
White pine blister rust	26,000	

Nursery seed orchard—title IV	10,000
Other revenue	2,976

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Net appropriation	269,922
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†In this appropriation \$26,000 shall be for the state's share of the county forestry program.

Forest improvement fund:

Personal services:

Permanent	\$42,601
Other	16,903

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Total	\$59,504
-------	----------

Current expenses	2,000
------------------	-------

Travel:

In state	2,900
----------	-------

Out of state	75
--------------	----

Equipment	1,500
-----------	-------

Other expenditures:

Silviculture	3,327
--------------	-------

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Total	69,306
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Caroline A. Fox research fund:

Personal services:

Permanent	\$6,388
Other	7,030

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Total	\$13,418
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Current expenses	4,361
------------------	-------

Travel:

In state	710
----------	-----

Out of state	210
--------------	-----

Equipment	2,525
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Total	\$21,224
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Less revenue and balance	21,224
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Net appropriation	0
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Total for division of resources development	339,228
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Division of economic development:

Administration:

Salary of director	\$13,500
--------------------	----------

Other personal services:	
Permanent	15,326
Other	2,400
	<hr/>
Total	\$31,226
Current expenses	40,800
Travel:	
In state	1,250
Out of state	1,500
Equipment	90
Other expenditures:	
Regional associations*	35,000
Eastern states exposition	18,300
	<hr/>
Total	128,166

\*This appropriation shall be equally divided between the six regional associations.

Industrial development:	
Salaries of three senior industrial agents	\$28,474†
Other personal services:	
Permanent	69,827
	<hr/>
Total	\$98,301
Current expenses	13,000
Travel:	
In state	8,000
Out of state	10,500
Equipment	220
	<hr/>
Total	130,021

†The new position of senior industrial agent included herein, shall be appointed in the same manner as provided in RSA 12-A:13.

Planning and research:	
Personal services:	
Permanent	\$95,579†
Current expenses	2,350
Travel:	
In state	2,500
Out of state	1,200
Equipment	660

## Other expenditures:

State and regional planning	8,925
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Total	111,214
-------	---------

†This appropriation includes funds for a new classified position of Editorial Assistant.

## State geology:

## Personal services:

Other	\$2,200
-------	---------

Current expenses	3,500
------------------	-------

## Travel:

In state	150
----------	-----

Out of state	200
--------------	-----

## Other expenditures:

Geologic mapping	15,000
------------------	--------

Geology booklets	2,800
------------------	-------

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Total	23,850
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## Vacation travel promotion:

## Personal services:

Permanent	\$69,168
-----------	----------

## Travel:

In state	2,500
----------	-------

Out of state	4,000
--------------	-------

Equipment	150
-----------	-----

## Other expenditures:

Printing and binding	75,000
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Advertising†	175,000
--------------	---------

Visitors' center	3,000
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Montreal office	25,000
-----------------	--------

Boston office	14,000
---------------	--------

New York office	11,500
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Bulletin of vacation inquiries	1,600
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Cooperative promotion, New England	25,000
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Total	405,918
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Total for division of economic development

799,169

†Legislative intent is that these funds may be used for in-state cooperative promotion with governor and council approval.

## Urban planning assistance:

## Personal services:

Other	\$516,460
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Current expenses	9,000
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## Travel:

In state	5,850
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Other expenditures	2,000
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Total	\$533,310
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Less revenue and balance*	531,310†
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Net appropriation	2,000
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\*Any state earned income shall be deposited to the general fund.

†Revenue in excess of \$285,250 may be expended subject to prior approval by the governor and council.

## Division of parks:

## Administration:

Salary of director	\$13,800
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## Other personal services:

Permanent	26,861
-----------	--------

Other	3,000
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Total	\$43,661
-------	----------

Current expenses	5,000
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## Travel:

In state	2,000
----------	-------

Out of state	500
--------------	-----

Equipment	1,020
-----------	-------

## Other expenditures:

Park promotion	60,000
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Total	\$112,181
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## Self-supporting parks:

## Personal services:

Permanent	\$420,104
-----------	-----------

Other	170,000
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Total	\$590,104
-------	-----------

Current expenses*	147,000
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## Travel:

In state	710
----------	-----

Out of state	350
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Equipment	25,000
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## Other expenditures:

Major repairs†	34,000
Snow making**	30,680

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Total	827,844
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\*This appropriation includes \$28,000 for insurance which shall not be transferred or expended for any other purpose.

†No part of this appropriation shall be transferred or expended for any other purpose. Travel expenses incidental to Major repair projects may be considered as a proper charge against this appropriation.

\*\*This appropriation shall not be transferred or expended for any other purpose; authorized expenditures may include personal services and current expenses.

## Service parks:

## Personal services:

Permanent	\$81,425
Other	356,228

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Total	\$437,653
Current expenses	110,000

## Travel:

In state	2,500
Equipment	35,000

## Other expenditures:

Major repairs†	40,000
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Total	625,153
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†No part of this appropriation shall be transferred or expended for any other purpose. Travel expenses incidental to Major repair projects may be considered as a proper charge against this appropriation.

## Bonds and interest:†

Chapter 254, laws of 1953	
Issue of 1954	\$44,825
Chapter 337, laws of 1955	
Issue of 1959	31,614
Chapter 293, laws of 1957	
Issue of 1959	33,044
Chapter 297, laws of 1959	
Issue of 1961	10,980
Chapter 264, laws of 1961	
Issue of 1963	46,240

## Chapter 263, laws of 1961

Issue of 1963	289,600
Issue of 1965	318,400

Total bonds and interest	774,703
Oasi, retirement and blue cross	26,310
Injured employees	2,500
Total	\$2,368,691
Less revenue	1,900,600

Net appropriation for division of parks 468,091

†No part of this appropriation shall be transferred or expended for any other purpose.

Note 1: Any balance in the recreation fund at June 30, 1968, shall be carried forward and applied to reduce the fiscal 1969 general fund appropriation for division of parks.

## Hampton special services:

## Personal services:

Other	\$22,368
Current expenses	2,490
Travel:	
In state	50
Equipment	1,000

Total 25,908

## Hampton beach parking facility:

## Personal services:

Other	\$11,100
Current expenses	6,000
Travel:	
In state	100
Equipment	750

## Other expenditures:

Hampton sea wall bonds and interest 86,313

Total \$104,263  
Less estimated revenue 45,000

Net appropriation 59,263

Total for department of resources and  
economic development \$2,046,630



## Industrial park authority:†

## Personal services:

Permanent

\$16,630

Other expenditures

8,107

Total

\$24,737

†Authority is hereby given to utilize so much as may be necessary of any surplus accumulated during fiscal 1967 within the agency without the use of any other state funds, as may be specifically approved by the Governor and Council.

## For New Hampshire state port authority:

## Personal services:

Permanent

\$15,410

Other\*

4,400

Total

19,810

Current expenses†

9,000

Travel:

In state

1,100

Out of state

1,000

Other expenditures:

Reimbursement of harbor masters

1,500

Operation of terminal††

6,000

Radio equipment

2,000

Total for New Hampshire state  
port authority

\$40,410

\*In this appropriation \$4,000 is for harbor masters and no part of this amount shall be transferred or expended for any other purpose.

†In this appropriation \$5,000 is for advertising and promotion and no part of this amount shall be transferred or expended for any other purpose.

††No part of this appropriation shall be transferred or expended for any other purpose.

## For department of safety:

## Office of commissioner:

Salary of commissioner

\$16,500

Other personal services:

Permanent

70,528

Other

1,000

Total

88,028

Current expenses

6,400

Travel:		
In state	1,100	
Out of state	900	
Equipment	3,020	
Other expenditures:		
Oasi and retirement	7,800	
Blue cross and insurance	1,175	
	<hr/>	
Total		\$108,423

Data processing section:		
Personal services:		
Permanent	28,766	
Current expenses	60,000	
Travel:		
Out of state	100	
Equipment	550	
Other expenditures:		
Oasi and retirement	3,295	
Blue cross and insurance	570	
Conversion of auto registrations†	50,000	
	<hr/>	
Total		143,281
		<hr/>
Total		\$251,704
Less transfer from highway fund		240,944
		<hr/>

Net appropriation for office of commissioner \$10,760

†No part of this appropriation shall be transferred or expended for any other purpose, and shall be available for expenditure until June 30, 1969.

Initial plate funds:*		
Personal services:		
Permanent	\$14,791	
Current expenses	9,775	
Travel:		
In state	1,500	
Out of state	500	
Equipment	2,450	
Other expenditures:		
Oasi and retirement	1,171	
Blue cross and insurance	150	

Driver assistance	125,000
Police training school	4,000
	<hr/>
Total	\$159,337
Less estimated revenue	\$159,337
	<hr/>

Net appropriation for initial plate fund 0

\*Other provisions of law notwithstanding, all expenditures from the initial plates and driver training fund shall be subject to budgetary limitations.

Division of state police:

Traffic bureau:

Salary of director	\$13,500
Other personal services:	
Permanent	1,051,223
Other	2,000

Total	\$1,066,723
-------	-------------

Current expenses	100,000
------------------	---------

Travel:

In state	202,100
Out of state	1,500

Equipment	124,000
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Other expenditures:

Oasi and retirement	64,311
Blue cross and insurance	7,610
Training	3,800
Auxiliary police	7,500

Total	\$1,577,544
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Less estimated revenue	48,000
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Less transfers from turnpikes	145,963
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Less transfer from highway fund	1,383,581
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Net appropriation for traffic bureau 0

Detective bureau:

Personal services:

Permanent	\$99,216
-----------	----------

Current expenses	14,150
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Travel:

In state	6,100
----------	-------

Out of state	500
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Equipment	2,000
-----------	-------

Other expenditures:		
Oasi and retirement	6,175	
Blue cross and insurance	725	
	<hr/>	
Total for detective bureau		128,866
Communications section:		
Personal services:		
Permanent	\$70,287	
Current expenses	17,200	
Travel:		
In state	4,550	
Equipment	7,200	
Other expenditures:		
Oasi and retirement	5,050	
Blue cross and insurance	775	
Training	500	
	<hr/>	
Total	\$105,562	
Less transfer from highway fund	88,978	
	<hr/>	
Net appropriation		16,584
		<hr/>
Total		\$145,450
Less estimated revenue		750
		<hr/>
Net appropriation for division of state police		144,700
Division of motor vehicles:		
Administration		
Salary of director	\$ 10,915	
Other personal services:		
Permanent	242,196	
Other	35,000	
	<hr/>	
Total	\$288,111	
Current expenses	246,600	
Travel:		
In state	400	
Out of state	450	
Equipment	14,219	

## Other expenditures:

Oasi and retirement	20,750
Blue cross and insurance	2,700

Total	<u>\$ 573,230</u>
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## Road toll section:

## Personal services:

Permanent	\$ 55,535
Current expenses	985

## Travel:

In state	2,100
Out of state	3,200
Equipment	4,450

## Other expenditures:

Oasi and retirement	4,725
Blue cross and insurance	600

Total	<u>71,595</u>
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Total	<u>\$644,825</u>
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Less transfer from highway fund	<u>644,825</u>
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Net appropriation for division of motor vehicles	0
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Note: Motor vehicle registration revenue and license revenue in excess of estimates may be expended upon prior approval of the governor and council for costs related to increased motor vehicle registrations and increased licenses respectively.

## Division of safety services:

Salary of director	\$ 9,320
Salary of fire marshal	10,666

## Other personal services:

Permanent	150,129
Other	75,000

Total	<u>\$ 245,115</u>
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Current expenses	73,225
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## Travel:

In state	49,850
Out of state	1,350
Equipment	22,935

Other expenditures:		
Oasi and retirement	16,350	
Blue cross and insurance	1,320	
Civil defense and rescue training center:		
Schools and training	500	
Total	\$410,645	
Less transfer from highway fund	142,368	
Net appropriation for division of safety services		268,277

Tramway board:		
Personal services:		
Permanent	\$ 8,408	
Current expenses	960	
Equipment	2,000	
Travel:		
In state	760	
Out of state	210	
Other expenditures:		
Oasi and retirement	650	
Blue cross and insurance	60	
Total for tramway board		13,048
Total for department of safety		\$436,785

For state coordinator of highway safety:		
Personal services:		
Permanent	\$ 15,912	
Other	500	
Total	\$ 16,412	
Current expenses	6,193	
Travel:		
In state	1,000	
Out of state	800	
Equipment	1,085	
Other expenditures:		
Professional fees	500	
Oasi and retirement	900	

Blue cross and insurance	150	
Total	\$ 27,040	
Less transfer from highway fund	27,040	
Net appropriation		0

## For secretary of state:

## Office of secretary:

Salary of secretary	\$ 15,000
Salary of deputy secretary	12,125
Other personal services:	
Permanent	48,784
Other*	3,675

Total	\$ 79,584
Current expenses	8,555
Travel:	
In state	125
Out of state	400
Equipment	450

Total	\$ 89,114
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\*This appropriation shall not lapse until June 30, 1969.

## Elections division:

## Personal services:

Other†	\$ 1,500
Current expenses†	1,600

## Travel:

In state	75
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## Other expenditures:

Printing, binding, supplies†	60,000
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Total	63,175
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†These appropriations shall not lapse until June 30, 1969.

## Xerox division:

## Personal services:

Permanent	\$ 4,280
Other	400

Total	\$ 4,680
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Current expenses	8,000	
Total	<u>\$ 12,680</u>	
Less estimated revenue (Xerox service)	<u>6,000</u>	
Net appropriation		6,680
Other expenditures:		
Trading stamps	\$ 1,300	
Auctioneers	2,000	
Binding old volumes of N. H. report*	30,000†	
Printing and binding red book	<u>25,000†</u>	
Total		<u>58,300</u>
Total for secretary of state		<u><u>\$217,269</u></u>

† This appropriation shall not be transferred or expended for any other purpose and shall be available for expenditure until June 30, 1969.

\*Revenue received from the sale of N. H. Reports shall be deposited with the state treasurer as unrestricted general fund revenue.

For board of accountancy:

Personal services:		
Other	\$ 1,175	
Current expenses	1,000	
Travel:		
In state	<u>50</u>	
Total		<u><u>\$ 2,225</u></u>

For board of registration for architects:

Personal services:		
Other	\$ 2,000	
Current expenses	1,000	
Travel:		
In state	400	
Out of state	<u>500</u>	
Total		<u><u>\$ 3,900</u></u>

For state athletic commission:\*

Personal services:		
Other	\$ 450	
Current expenses	75	



## Travel:

In state	250	
Total		\$ 775

\*The provisions of RSA 285:2 are hereby suspended for the fiscal year ending June 30, 1968. During fiscal year 1968 the chairman-secretary shall receive ten dollars a day when engaged in the performance of his duties under the provision of this chapter, together with his actual traveling and other necessary expenses. The other two commissioners shall receive ten dollars a day, travel and other necessary expenses incurred when engaged in the actual performance of their duties at the call of the chairman.

## For board of chiropractic examiners:

## Personal services:

Other	\$ 2,300
Current expenses	500

## Travel:

In state	700
Out of state	400

Total	\$ 3,900
-------	----------

## For board of professional engineers:

## Personal services:

Other	\$ 3,500
Current expenses	2,500

## Travel:

In state	150
Out of state	350
Equipment	60

Total	\$ 6,560
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## For board of registration in optometry:

## Personal services:

Other	\$ 400
Current expenses	355

## Travel:

In state	180
Out of state	245

Total	\$ 1,180
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## For board of psychologists:

## Personal services:

Other	\$ 30
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Current expenses	220
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## Travel:

In state	80
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Out of state	60
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Total		\$ 390
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## For state library:

## Administration:

Salary of librarian	\$ 12,060
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Salary of assistant librarian	9,842
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## Other personal services:

Permanent	160,399
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Other	3,625
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Total	\$185,926
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Current expenses	15,225
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## Travel:

In state	400
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Out of state	400
--------------	-----

Equipment	43,210
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Total	\$245,161
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## Extension:

Current expenses	\$ 8,850
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## Travel:

In state	3,350
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Out of state	100
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Equipment	18,680
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Total	30,980
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## State aid:

Grants-in-aid to libraries	35,500
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## Library service and construction act:

## Title I:

## Personal services:

Permanent	\$116,669
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Other	5,350
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Total	\$122,019
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Current expenses	16,020
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## Travel:

In state	2,150
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Out of state	1,200
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Equipment*	29,857
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## Other expenditures:

Public relations	16,000
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Social security	9,613
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Training and scholarships	2,676
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Total†	\$199,535
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Less estimated federal funds†	199,535
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Net appropriation	0
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\*In this appropriation \$29,307 is for books.

†If the federal grant is less than the estimate shown herein the total appropriation shall be reduced in like proportion.

## Title II:

## Other expenditures:

Construction additions and remodeling†	\$199,453
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Less estimated federal funds†	199,453
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Net appropriation	0
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Total for state library	\$311,641
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†If the federal grant is less than the estimate shown herein, the total appropriation shall be reduced in like proportion.

## For state treasury:

## Administration:

Salary of treasurer	\$ 14,497
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Salary of deputy treasurer	11,437
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## Other personal services:

Permanent	110,577
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Other	2,500
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Total	\$139,011
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Current expenses	25,125
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## Travel:

In state	100
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Out of state	750
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Equipment	1,520
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Total	\$166,506
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Trust funds:		
Agricultural college fund	\$4,800	
Hamilton Smith fund	400	
Benjamin Thompson fund	31,896	
	<hr/>	
Total		37,096
Expense re head tax		150
Bounties — payments to cities and towns*		1,000
Retirement division:		
Assistant state treasurer	\$9,300	
Other personal services:		
Permanent	51,995	
Other†	11,800	
	<hr/>	
Total	\$73,095	
Current expenses	7,702	
Travel:		
In state	1,475	
Out of state	200	
Equipment	2,675	
Other expenditures:**		
Consulting services	1,000	
Investment counsel	18,000	
Consulting actuary	14,000	
Normal contributions:		
Teachers	623,000	
Employees	438,048	
Firemen	39,000	
Policemen	48,000	
Accrued liability:		
Teachers	384,000	
Employees	310,000	
Firemen	368,000	
Policemen	316,000	
Hospitalization and group life insurance	148,000	
	<hr/>	
Total	\$2,792,195	
Less:		
Transfer from outstanding bond issues	60,000	
Administrative costs charged to political subdivisions	14,000	

Reimbursement of group life and hospitalization from federal and self-sustaining departments	26,000	
	<hr/>	
Net appropriation		2,692,195
		<hr/>
Total		\$2,896,947
Less transfer from highway fund		22,153
		<hr/>
Net appropriation for state treasury		\$2,874,794
		<hr/> <hr/>

†Appropriations for part-time secretaries shall only be available as long as present incumbents are employed.

\*This appropriation shall be a continuing appropriation and shall not lapse.

\*\*None of the individual amounts appropriated under other expenditures shall be transferred or expended for other than the stated purpose.

Note: Other provisions of law notwithstanding the employees of the New Hampshire retirement system established by the laws of 1967 are hereby assigned to the retirement division of the office of the state treasury.

For industrial school:

Administration:

Salary of superintendent	\$15,000	
Salary of deputy superintendent†	9,560	
Other personal services:		
Permanent	30,634	
	<hr/>	
Total	\$55,194	
Current expenses	7,790	
Travel:		
In state	400	
Out of state	700	
Equipment	375	
	<hr/>	
Total		\$64,459

†Any increase in the salary of this position shall be subject to change in the provisions of RSA 94.

Instruction:

Personal services:

Permanent	\$63,095	
Other	4,176	
	<hr/>	
Total		\$67,271

Current expenses	1,750	
Equipment	950	
	<hr/>	
Total		69,971
Custodial care:††		
Personal services:		
Permanent	\$339,222	
Other	9,499	
	<hr/>	
Total	\$348,721	
Current expenses*	69,000	
Equipment	3,290	
	<hr/>	
Total		421,011
††Such sums as may be required for the custody of certain inmates shall be transferred from the emergency fund upon approval by the governor and council.		
*In this appropriation \$32,000 is for food and no part of this amount shall be transferred or expended for any other purpose. Also included in this appropriation is \$14,500 for products used from the institution's farm and no part of this amount shall be transferred or expended for any other purpose.		
Auxiliary to custodial care:		
Personal services:		
Other		5,400
Operation of plant:		
Personal services:		
Permanent	\$24,784	
Other	225	
	<hr/>	
Total	\$25,009	
Current expenses	36,000	
Equipment	7,620	
	<hr/>	
Total		68,629
Maintenance of plant:		
Personal services:		
Permanent	\$41,880	
Other	1,411	
	<hr/>	
Total	\$43,291	
Current expenses	9,000	

Other expenditures:		
Repairs to machines, equipment, buildings and grounds (contract)	13,000	
Rebuilding of roadways	10,000	
Renovate main kitchen with added refrigeration	20,000	
	<hr/>	
Total		95,291
Agriculture:		
Personal services:		
Other	350	
Current expenses	3,750	
	<hr/>	
Total	4,100	
Less credit transfer	14,500	
Less estimated revenue	3,000	
	<hr/>	
Net reduction		—13,400
Boys' and girls' benefit fund:		
Current expenses		5,700
Parole:		
Personal services:		
Permanent	\$40,288	
Current expenses	450	
Travel:		
In state	2,400	
Out of state	600	
	<hr/>	
Total		43,738
		<hr/>
Total		\$760,799
Less refunds (maintenance)		6,500
		<hr/>
Net appropriation for industrial school		\$754,299
		<hr/> <hr/>
For soldiers' home:		
Office of commandant:		
Salary of commandant	\$8,600	
Other personal services:		
Permanent	5,630	
Other	575	
	<hr/>	
Total		\$14,805

Custodial care:		
Personal services:		
Permanent	\$31,928	
Other	1,000	
	<hr/>	
Total		32,928
Professional care and treatment:		
Personal services:		
Permanent	\$56,738	
Other	3,500	
	<hr/>	
Total		60,238
Operation and maintenance of plant:		
Personal services:		
Permanent	\$12,738	
Other	550	
	<hr/>	
Total	\$13,288	
Current expenses	28,900	
Travel:		
In state	600	
Equipment*	2,832	
Other expenditures:		
Replace wiring relay system and heating control, main building	1,000	
Spare parts for oil burner and chassis, etc.	450	
Remove chimneys and repair roofs, main building	8,000	
Renovate and re-equip dining room, main building	1,600	
Repair and recover kitchen floor, commandant's quarters	300	
	<hr/>	
Total		56,970
		<hr/>
Total		\$164,941
Less refunds (maintenance)		100
Less revenue and balance		60,000
		<hr/>
Net appropriation for soldier's home		\$104,841
		<hr/> <hr/>

\*This amount includes \$1,000 for a standby power generator. The expenditure of this amount is subject to approval by the governor and



council. These funds are not to be transferred or expended for any other purpose.

For state prison:

Administration:

Salary of warden	\$15,120
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Other personal services:

Permanent	18,375
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Other	300
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Total	\$33,795
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Current expenses	2,100
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Travel:

In state	785
----------	-----

Out of state	425
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Equipment	890
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Total	\$37,995
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Instruction:

Personal services:

Permanent	5,550
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Custodial care:

Salary of deputy warden	\$9,740
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Other personal services:

Permanent††	278,507
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Other	30,000
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Total	\$318,247
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Current expenses*	104,205
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Equipment	2,085
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Other expenditures:

Custody of certain inmates†	3,964
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Total	428,501
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\*In this appropriation \$18,000 shall be for products used from the institution's farm. No part of this appropriation shall be transferred to any other appropriation or extended for any other purpose. The institution's farm shall receive credit for all products used even though in excess of \$18,000.

†This appropriation shall be available for the custody of unmanageable inmates in out-of-state institutions or federal penitentiaries where no suitable institution exists in New Hampshire. Any payments out of this appropriation shall be made with approval of the governor and council. This fund may also be used for such inmates who have been sent to such

out-of-state institutions from the Laconia state school and the New Hampshire hospital. No part of this appropriation shall be transferred to any other appropriation or expended for any other purpose.

††The position of housekeeper included herein shall be deleted when the present incumbent retires.

Auxiliary to prison care and custody:

Personal services:

Other \$8,000

Current expenses 5,500

Other expenditures:

Awards — gate money 3,900

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Total 17,400

Operation of plant:

Personal services:

Permanent \$30,317

Other 275

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Total 30,592

Maintenance of plant:

Current expenses 11,500

Equipment 160

Other expenditures:

Repair brickwork on old north wall and  
east wall, also paving entrance driveway  
at farm 10,000

---

Total 21,660

Agriculture:

Personal services:

Permanent \$14,876

Other 3,081

---

Total \$17,957

Current expenses 25,000

Equipment 4,775

Other expenditures:

Butchering, curing meats and registry fees 1,200

---

Total \$48,932

Less credit transfer 18,000

Less estimated revenue 30,000

---

Net appropriation 932

## Parole:

Salary of parole officer	\$10,620
Personal services:	
Permanent	22,898
Other	600

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Total	\$34,118
Current expenses	1,200

## Travel:

In state	1,600
Out of state	500
Equipment	1,350

---

Total	38,768
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## Prison industries:

Personal services:	
Permanent	\$99,945
Other	11,449

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Total	\$111,394
Current expenses	196,735

## Travel:

In state	75
Out of state	275
Equipment	6,748

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Total	\$315,227
Less estimated revenue and credits	332,000

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Net appropriation	—16,773
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Total	\$564,625
Less refunds (maintenance)	2,826

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Net appropriation for state prison	\$561,799
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## For higher education fund:

## University of New Hampshire:

Authorized expenditures	\$21,110,721
Less estimated revenue:	
Board and room	2,843,775
Tuition	4,214,250
Federal funds	1,162,691
Trust funds	312,847

Auxiliary enterprises	1,276,200	
Other revenue	4,254,345	
	<hr/>	
Net appropriation		\$7,046,613
Keene state college:		
Authorized expenditures	\$3,219,163	
Less estimated revenue:		
Board and room	686,900	
Tuition	802,900	
Federal funds	24,500	
Auxiliary enterprises	170,000	
Other revenue	434,200	
	<hr/>	
Net appropriation		1,100,663
Plymouth state college:		
Authorized expenditures	\$2,807,471	
Less estimated revenue:		
Board and room	874,500	
Tuition	676,075	
Federal funds	35,200	
Auxiliary enterprises	134,272	
Other revenue	194,700	
	<hr/>	
Net appropriation		892,724
Salary increases for non academic personnel		150,000†
Total for higher education fund*		\$9,190,000
		<hr/> <hr/>
For extension work in counties		\$111,400
		<hr/> <hr/>

\*For the fiscal year ending June 30, 1968, the millage formula provided by RSA 187:24 is hereby suspended and the sums hereby appropriated shall be the total appropriation for the University of New Hampshire, Plymouth state college, and Keene state college, and shall be in lieu of requirements for appropriation under said RSA 187:24.

†This appropriation to be expended only for salary increases to non academic employees of the University of New Hampshire, Keene state college and Plymouth state college.

For higher education facilities commission:

Personal services:

Other	\$11,500
Current expenses	1,800

## Travel:

In state	200
Out of state	1,500

Total	\$15,000
Less estimated federal funds	15,000

Net appropriation	\$	0
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## For board of education:

## Administration:

Salary of commissioner	\$16,920
Salary of deputy commissioner	13,676
Other personal services:	
Permanent*	230,458
Other	1,500

Total	\$262,554
Current expenses	20,000

## Travel:

In state	8,410
Out of state	2,500
Equipment	2,000

Total	\$295,464
-------	-----------

\*One position of account clerk II and one position of account clerk III are created in the department of education to be filled if federal funds become available to pay the salaries for the positions.

## Foundation aid:

State aid to school districts†	3,800,000
Unorganized districts aid:	
Tuition and transportation††	\$17,500
Less estimated revenue	7,044

Net appropriation	10,456
-------------------	--------

†This appropriation shall not be transferred or expended for any other purpose.

††Funds received from assessments against unincorporated places for benefit of public schools may be used for tuition and transportation upon approval of the governor and council. These funds shall not lapse at June 30, 1968.

## School building construction:

## Other expenditures:

Aid to school districts for school  
building construction\*

2,637,113

\*These funds shall not be expended for any other purpose and no transfers shall be made therefrom. Funds shall be distributed under provisions of RSA 198:15e.

Reorganization incentive aid to cooperative  
school districts†

250,000

†This appropriation shall be expended only as provided by RSA 198:18 and no transfer of funds shall be made therefrom.

## State-wide supervision:

## Other expenditures:

Salaries and travel of superintendents,  
assistant superintendents, and teacher  
consultants†

\$923,150

Superintendents' conference

2,000

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Total

\$925,150

Less revenue from school districts

634,200

---

Net appropriation

290,950

†The state board of education shall receive for disbursement sums paid by school districts for the additional salaries of superintendents under the provisions of RSA 189:44. In the above appropriation \$634,200 shall come from funds received under RSA 189:44 and the state's share shall not exceed \$288,950.

## School lunch and milk programs — federal:

## Other expenditures:

Reimbursements to school districts for:

School lunch program

\$425,000

Special milk program

425,000

---

Total†

\$850,000

Less estimated federal funds†

850,000

---

Net appropriation

0

†If the revenue received exceeds the estimate, such excess may be expended with approval of the governor and council.

## Education of handicapped children:

## Other expenditures:

Grants to approved programs, as provided  
by RSA 186-a

\$75,000

Less estimated revenue	14,600	
Net appropriation		60,400
Education of deaf:		
Current expenses*	\$345,000	
Less estimated revenue	47,481	
Net appropriation		297,519
*These funds shall be for payments to schools for board, room and tuition and shall not be expended for any other purpose and no transfer shall be made therefrom. These funds shall not lapse at June 30, 1968.		
Intellectually retarded children		150,000
Emotionally disturbed children		20,000
National defense education act — title III:		
Personal services:		
Permanent	\$37,758	
Current expenses	7,250	
Travel:		
In state	2,200	
Out of state	750	
Other expenditures:		
Curriculum studies and conference	1,950	
Reimbursements to school districts	300,000	
Oasi, retirement and insurance	2,100	
Total	\$352,008	
Less estimated federal funds	328,304	
Net appropriation		23,704
National defense education act — title V:		
Personal services:		
Permanent	\$10,230	
Current expenses	825	
Travel:		
In state	600	
Out of state	200	
Other expenditures:		
Reimbursements to school districts	65,000	
Employees benefits	800	
Total	\$77,655	
Less estimated federal funds	71,727	
Net appropriation		5,928

## National defense education act — title X:

## Personal services:

Permanent	\$16,432
Other	1,600

---

Total	\$18,032
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Current expenses	11,000
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## Travel:

In state	500
Out of state	350

## Other expenditures:

Employees benefits	800
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Total	\$30,682
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Less estimated federal funds	18,717
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Net appropriation	11,965
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## Fire service training:

Other expenditures	15,000
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## Manpower development and training:

## Personal services:

Permanent	\$25,922
Other	7,600

---

Total	\$33,522
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Current expenses	3,400
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## Travel:

In state	6,160
Out of state	860

## Other expenditures:

Oasi, retirement and insurance	2,195
Approved projects	703,863

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Total	\$750,000
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Less estimated federal funds	675,000
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Net appropriation	75,000
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## Vocational education acts:

## Personal services:

Permanent	\$104,440
Other	500

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Total	\$104,940
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Current expenses	4,000
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## Travel:

In state	4,000
Out of state	2,000

## Other expenditures:

Reimbursements to school districts and institutes for salaries of teachers, teacher travel, construction and equipment	841,663
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Total	\$956,603
Less estimated federal funds	858,810

Net appropriation \$97,793

## Vocational rehabilitation:

## Personal services:

Permanent	\$116,293
Other	1,000

Total	\$117,293
-------	-----------

Current expenses	12,000
------------------	--------

## Travel:

In state	7,000
Out of state	700

## Other expenditures:

Employees benefits and merit system	5,000
Case services	240,000

Total	\$381,993
Less estimated federal funds	286,495

Net appropriation 95,498

## Rehabilitation facilities planning grant:

## Personal services:

Permanent	\$13,195
Current expenses	1,300

## Travel:

In state	1,900
Out of state	200
Other expenditures	1,000

Total	\$17,595
Less estimated federal funds	15,835

Net appropriation 1,760

## Oasi disability determination — federal:

## Personal services:

Permanent	\$34,920
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Current expenses	7,127
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## Travel:

In state	700
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Out of state	1,035
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Equipment	1,987
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## Other expenditures:

Medical consultations and examinations	36,874
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Clients travel	2,000
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Oasi, retirement, merit system, blue cross and insurance	3,850
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Total	\$88,493
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Less estimated federal funds	88,493
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Net appropriation	
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0

## New Hampshire technical institute — Concord:

Salary of director	\$13,489
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## Other personal services:

Permanent	279,882
-----------	---------

Other	30,000
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Total	\$323,371
-------	-----------

Current expenses	160,000
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## Travel:

In state	1,000
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Out of state	800
--------------	-----

Equipment	1,600
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## Other expenditures:

Grants to students	10,000
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Total	\$496,771
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## Less estimated revenue:

Tuition	78,000
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Room and board	69,300
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Cafeteria	9,800
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Textbooks and supplies	38,000
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Evening school and summer session	25,000
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Miscellaneous	3,000
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Net appropriation	
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273,671

## New Hampshire vocational institute — Berlin

## Personal services:

Permanent	\$159,395
Other	13,000

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Total 172,395

Current expenses 42,000

## Travel:

In state	700
Out of state	250

Equipment 7,000

---

Total \$222,345

## Less estimated revenue:

Tuition	48,000
Cafeteria	9,000
Textbooks and supplies	24,000
Evening school and summer program	5,000

---

Net appropriation 136,345

## New Hampshire vocational institute — Claremont:

## Personal services:

Permanent	\$17,499
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Current expenses 10,000

## Travel:

In state	400
Out of state	700

---

Total 28,599

## New Hampshire vocational institute — Laconia:

## Personal services:

Permanent	\$17,499
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Current expenses 10,000

## Travel:

In state	400
Out of state	700

---

Total 28,599

## New Hampshire vocational institute — Manchester:

## Personal services:

Permanent	\$223,085
Other	13,000

---

Total \$236,085

Current expenses	56,000	
Travel:		
In state	650	
Out of state	200	
Equipment	4,000	
	<hr/>	
Total	\$296,935	
Less estimated revenue:		
Tuition	70,000	
Cafeteria	12,500	
Textbooks and supplies	15,000	
Evening school	7,800	
	<hr/>	
Net appropriation		191,635
New Hampshire vocational institute — Portsmouth:		
Personal services:		
Permanent	\$186,258	
Other	13,000	
	<hr/>	
Total	\$199,258	
Current expenses	42,000	
Travel:		
In state	800	
Out of state	350	
Equipment	4,950	
	<hr/>	
Total	\$247,358	
Less estimated revenue:		
Tuition	50,000	
Cafeteria	8,500	
Textbooks and supplies	7,000	
Evening school	7,800	
Federal funds	15,400	
	<hr/>	
Net appropriation		158,658
Scholarships — world war orphans, as provided by RSA 193		2,700
Board of nursing education and nurse registration:		
Personal services:		
Permanent	\$23,438	
Other	600	
	<hr/>	
Total	\$24,038	

Current expenses	6,400
Travel:	
In state	600
Out of state	200
Equipment	510
Other expenditures:	
Board members travel	300
Employee benefits	2,214

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Total	\$34,262
Less estimated revenue and balance	34,262

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Net appropriation 0

Civil defense adult education:

Personal services:	
Permanent	\$20,748
Other	11,250

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Total	\$31,998
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Current expenses	5,300
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Travel:	
In state	2,635
Out of state	785
Equipment	200
Other expenditures:	
Retirement, oasi, blue cross and insurance	2,075

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Total	\$42,993
Less estimated federal funds	42,993

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Net appropriation 0

Elementary and secondary education act — title I:

Personal services:	
Permanent	\$54,195
Other	2,430

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Total	\$56,625
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Current expenses	7,175
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Travel:	
In state	4,000
Out of state	1,600

Other expenditures:	
Employee benefits	5,100
Conference and workshop	500

Distribution to school districts	1,452,253	
State operated and supported schools for handicapped children	58,444	
	<hr/>	
Total	\$1,585,697	
Less estimated federal funds	1,585,697	
	<hr/>	
Net appropriation		0
Elementary and secondary education act — title II:		
Personal services:		
Permanent	\$12,836	
Other	1,500	
	<hr/>	
Total	\$14,336	
Current expenses	1,825	
Travel:		
In state	1,200	
Out of state	350	
Equipment	525	
Other expenditures:		
Employees benefits	1,400	
Conference and curriculum studies	600	
Reimbursements to school districts	360,000	
	<hr/>	
Total	\$380,236	
Less estimated federal funds	380,236	
	<hr/>	
Net appropriation		0
Elementary and secondary education act — title V:		
Personal services:		
Permanent	\$105,570	
Other	5,973	
	<hr/>	
Total	\$111,543	
Current expenses	14,554	
Travel:		
In state	5,550	
Out of state	2,450	
Other expenditures:		
Employees benefits	6,343	
	<hr/>	
Total	\$140,440	
Less estimated federal funds	140,440	
	<hr/>	
Net appropriation		0

## Adult basic education:

## Personal services:

Permanent	\$14,510
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Current expense	3,120
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## Travel:

In state	900
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Out of state	400
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Equipment	750
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## Other expenditures:

Conference and curriculum studies	1,920
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Grants to local centers	75,000
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Employees benefits	1,400
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Total	\$98,000
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Less estimated federal funds	88,200
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Net appropriation	9,800
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Total	\$8,968,557
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## Less estimated revenue:

Literary fund	11,500
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Net appropriation for board of education	\$8,957,057
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Note: In addition to the above appropriation, said department shall receive for disbursement any actual excess over the estimate in the income of the evening school or evening school and summer program received by the technical or vocational institutes; provided, however, that said department may disburse any such excess, with the approval of the governor and council, only in connection with those services from which the excess arose.

For coordinating board of advanced education  
and accreditation:

Salary of executive secretary	\$5,000
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## Other personal services:

Other	3,567
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Total	\$8,567
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Current expenses	870
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## Travel:

In state	850
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Out of state	350
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Equipment	85
Total for coordinating board of advanced education and accreditation	<u>\$10,722</u>
For board of probation:	
Salary of director	\$9,531
Other personal services:	
Permanent	296,158
Other	7,723
Total	<u>\$313,412</u>
Current expenses	25,000
Travel:	
In state	16,000
Out of state	1,000
Equipment	5,000
Total for board of probation	<u>\$360,412</u>
For water resources board:	
Salary of chairman	\$11,219
Other personal services:	
Permanent	75,930
Other	1,700
Total	<u>\$88,849</u>
Current expenses	3,700
Travel:	
In state	4,000
Out of state	675
Equipment	4,400
Other expenditures:	
Survey of effect of highway salt on ground water resources†	4,000*
Stream flow gauging	26,300*
Connecticut river valley flood control commission:	
Per diem and expenses of commission	700
State's contribution to commission	1,688
Maintenance of dams†	15,000
Survey and investigation re ground water resources†	11,800*
Improvements on small watersheds	2,500



Merrimack river valley flood control commission:	
Per diem and expenses of commission	600
State's contribution to commission	3,000
Wetlands program†	
Other personal services	13,900
	<hr/>
Total	181,112
Less transfers from:	
Public works and highways	10,000
Pittsburg project	12,208
Lakeport project	5,858
	<hr/>
Net appropriation for water resources board	153,046
	<hr/> <hr/>

†This appropriation shall not be transferred or expended for any other purpose.

\*To be used only for matching purposes with federal funds.

Note: Notwithstanding any other statute or law to the contrary, the water resources board may not accept or receive any gift or grant of a dam, with or without the approval of the governor and council. This note does not apply to Public law 566 projects.

For aeronautics commission:

Administration:

Salary of director	\$13,500
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Other personal services:

Permanent	55,895
Other	1,500

Total	\$70,895
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Current expenses	5,675
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Travel:

In state	3,000
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Out of state	2,250
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Equipment	3,640
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Total	\$85,460
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Airways toll fund:

Other expenditures:

Establishment and maintenance of air navigation facilities on state airways system	10,000
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Aircraft operating fees:	
Other expenditures — as provided by 1961:261	11,500
Aircraft rental and/or operation:	
Other expenditures	5,000

Total for aeronautics commission	<u>\$111,960</u>
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For arts commission:	
Other expenditures	\$30,000
Less: Federal and local contributions	22,500
	<hr/>
Total for arts commission	\$7,500†

†This appropriation shall not be expended unless three to one matching funds are received.

For bank commissioner:

Administration:

Salary of bank commissioner	\$14,112
Salary of deputy commissioner	13,740
Salary of assistant commissioner	12,000
Other personal services:	
Permanent	197,456
Other	2,000

Total	<hr/> \$239,308
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Current expenses	23,933
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Travel:

In state	19,750
Out of state	2,100
Equipment	4,300

Other expenditures:

Oasi and retirement	20,055
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Total	<hr/> \$309,446
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Less revenue	295,334
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Net appropriation	<hr/> \$14,112
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Small loan and motor vehicle finance division:†

Personal services:

Permanent	\$21,296
Current expenses	1,000

Travel:		
In state	1,225	
Out of state	460	
Other expenditures:		
Oasi and retirement	1,842	
	<hr/>	
Total	\$25,823	
Less revenue††	25,823	
	<hr/>	
Net appropriation		0
		<hr/>
Total for bank commissioner		\$14,112
		<hr/>

†Other provisions of law notwithstanding, the balance in the small loan license fund and the motor vehicle sales finance fund at June 30, 1968 shall lapse to unappropriated surplus of the general fund.

††Notwithstanding any law to the contrary, expenditures from this fund shall be subject to budgetary limitations.

For human rights:

Other expenditures	\$2,500†
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†This appropriation shall not lapse at June 30, 1968. The Office of Legislative Services shall furnish legal and technical assistance to the Human Rights Commission.

For liquor commission:

Administration:

Salaries of three commissioners	\$36,500
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Other personal services:

Permanent	302,928
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Other	3,500
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Total	\$342,928
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Current expenses	44,799
------------------	--------

Travel:

In state	26,170
----------	--------

Out of state	2,700
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Equipment	46,700
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Other expenditures:

Oasi and retirement	27,370
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Special investigation work	500
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Total	\$491,167
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## Stores operation:

## Personal services:

Permanent	\$1,266,699
Other	240,000

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Total	\$1,506,699
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Current expenses	442,870
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## Travel:

In state	10,860
Equipment	62,800

## Other expenditures:

Oasi and retirement	114,328
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Total	\$2,137,557
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Less revenue from sweepstakes commission	114,000
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Net appropriation	2,023,557
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## Warehouse:

## Personal services:

Permanent	\$116,308
Other	14,800

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Total	\$131,108
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Current expenses	38,464
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Equipment	3,000
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## Other expenditures:

Oasi and retirement	10,510
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Total	183,082
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Total for liquor commission	\$2,697,806
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Note: Notwithstanding other provisions of statutes or rules or regulations to the contrary: (1) all state liquor stores shall open for business no later than 9:00 a.m.; (2) all state liquor stores shall be open a full business day on all six business days of each week, except on legal holidays, except, as provided in RSA 176:11, and on election days; (3) the fifteen liquor stores which have the greatest volume of business shall remain open until at least 10:00 p.m. on at least one business day each week.

## For public utilities commission:†

## Office of the commission:

Salaries of three commissioners	\$38,806
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Other personal services:		
Permanent	127,738	
Other	6,050	
	<hr/>	
Total	\$172,594	
Current expenses	20,971	
Travel:		
In state	4,500	
Out of state	3,000	
Equipment	1,595	
Other expenditures:		
Oasi and retirement	10,000	
	<hr/>	
Total for public utilities commission	\$212,660	
Less estimated reimbursements	173,854	
	<hr/>	
Net appropriation		\$38,806
		<hr/> <hr/>

†Notwithstanding any other provisions of law to the contrary, the amount of expenses ascertained under the provisions of RSA 363-A:1 (Supp.) and the assessment thereof provided by RSA 363-A:2 (Supp.) shall include all fiscal year expenditures, except the salaries of the commissioners, of the public utilities commission.

For racing commission:

Thoroughbred racing:		
Salaries of three commissioners	\$9,000	
Other personal services:		
Permanent	24,553	
Other*	35,752	
	<hr/>	
Total	\$69,305	
Current expenses	5,995	
Travel:		
In state	2,000	
Out of state	2,000	
Equipment	1,000	
	<hr/>	
Total	\$80,300	
Less reimbursement	5,731	
	<hr/>	
Net appropriation		\$74,569

Harness racing:		
Personal services:		
Permanent	\$20,995	
Other*	111,219	
	<hr/>	
Total	\$132,214	
Current expenses	3,500	
Travel:		
In state	11,334	
Out of state	600	
Equipment	1,195	
	<hr/>	
Total	\$148,843	
Less reimbursement	12,745	
	<hr/>	
Net appropriation		136,098
		<hr/>
Total for racing commission		\$210,667
		<hr/> <hr/>

\*Such portion of this amount as constitutes the compensation of the official state steward or associate judge of the state racing commission, shall be reimbursed to the state by the person, association, or corporation conducting the race or meet and such reimbursement shall include the employer's share of oasi taxes.

For sweepstakes commission:	
Salary of commission chairman	\$3,000
Salaries of two commissioners	4,800
Salary of executive director	20,000
Other personal services:	
Permanent	110,073
Other	56,830
	<hr/>
Total	\$194,703
Current expenses*	93,000
Travel:	
In state	18,500
Out of state†	2,500
Equipment	13,500
Other expenditures:	
Oasi and retirement	12,000
Purses awarded horses	200,000

Net track expenses	36,000
Liquor commission**	114,000
	<hr/>
Total	\$684,203
Less transfers from revenue account††	684,203
	<hr/>
Net appropriation for sweepstakes commission	\$ 0

\*In this appropriation \$15,000 is for promotion and advertising outside the state of New Hampshire and shall be expended only with prior approval of the governor and council, if such expenditure becomes permissible under federal law.

†In this appropriation any unexpended balance at June 30, 1968, not exceeding \$1,500 shall not lapse, but shall be available for expenditure until June 30, 1969.

\*\*This appropriation shall not be transferred or expended for any other purpose. The liquor commission shall be reimbursed monthly for services rendered, at the rate of 4% of the income received from sale of sweepstakes tickets in liquor stores.

††Transfers shall be made from the revenue account of the sweepstakes commission to cover actual expenditures from appropriated funds.

Note 1: Subsidiary records shall be maintained by the sweepstakes commission which shall reflect proceeds and expenditures applicable to each sweepstakes year. The resulting net balance remaining from each year shall be paid out to the school districts of the state as provided by RSA 284:21-j.

Note 2: No funds of the sweepstakes commission shall be expended for legal services.

For tax commission:

Office of commission:

Salaries of two commissioners	\$24,240
Salary of secretary	15,262

Other personal services:

Permanent	213,390
Other*	90,000

Total	\$342,892
Current expenses†	24,500

Travel:		
In state	40,000	
Out of state	2,000	
Equipment††	23,450	
	<hr/>	
Total		\$432,842

\*Expenditures from this appropriation for appraisal of utilities shall not exceed \$3,000.

†This appropriation includes \$6,500 for printing and binding of tax laws which shall not be transferred or expended for any other purpose.

††No funds of the tax commission shall be expended for purchase of an electronic calculator.

Municipal accounting:		
Personal services:		
Permanent	\$88,122	
Other	1,000	
	<hr/>	
Total	\$89,122	
Current expenses	2,500	
Travel:		
In state	7,000	
Out of state	350	
Equipment	150	
	<hr/>	
Total		99,122

Intangible tax:		
Personal services:		
Permanent	\$32,896	
Other	400	
	<hr/>	
Total	\$33,296	
Current expenses	3,300	
Travel:		
In state	300	
Out of state	450	
Equipment	575	
Other expenditures:		
Oasi and retirement	2,845	
Blue cross and insurance	280	
	<hr/>	
Total		41,046



## Inheritance tax:

## Personal services:

Permanent	\$24,639
Other	7,000

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Total	\$31,639
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Current expenses	1,810
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## Travel:

In state	150
Out of state	50

Equipment	240
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Total	33,889
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## Tobacco products tax:

## Personal services:

Permanent	\$44,631
Other	400

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Total	\$45,031
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Current expenses	2,500
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## Travel:

In state	4,900
Out of state	750

Equipment	3,300
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## Other expenditures:

Tobacco tax stamps*	60,000
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Total	116,481
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\*The funds in this appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 1969.

## Boat taxation:

## Personal services:

Other	\$3,500
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Other expenditures	3,500
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Total	\$7,000
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Less revenue and balance	7,000
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Net appropriation	0
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## Room and meals tax:†

## Personal services:

Permanent	\$31,446
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Other	4,000
Total	<hr/> \$35,446
Current expenses	5,975
Travel:	
In state	6,500
Equipment	17,890
Total	<hr/> \$65,811
Transfer from room and meals fund	65,811
Net appropriation	<hr/> <hr/> 0

†The sums hereby appropriated shall be a charge upon the room and meals fund as established by RSA 78-A:23, as inserted by 1967, 213:1. The governor is authorized to draw his warrant for the sums hereby appropriated out of the general funds in so far as may be necessary prior to the collection of taxes under said chapter. The general funds shall be reimbursed for any such expenditures when taxes are collected as provided in RSA 78-A:24.

Other expenditures:

Flood control	70,000
Appraisal school	2,000
Forest conservation aid†	54,000
Special aid for heavily timbered towns	20,500

Total for tax commission	<hr/> \$869,880 <hr/>
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†The funds in this appropriation shall not lapse but shall be available for expenditure until June 30, 1969.

For water pollution commission:

Office of commission:

Deputy executive director and chief engineer	\$ 14,440
Chief aquatic biologist	10,451
Director of municipal services and assistance	10,280
Other personal services:	
Permanent	180,095
Other	3,000

Total	<hr/> \$218,266
Current expenses	12,672
Travel:	
In state	19,600
Out of state	1,100

Equipment	12,471	
	<hr/>	
Total		\$264,109
New England interstate water pollution commission:		
Personal services:		
Other	\$ 700	
Current expenses	1,500	
Travel:		
Out of state	800	
	<hr/>	
Total		3,000
State aid grants*		1,458,501

\*The sum hereby appropriated shall not lapse, but shall be added to the appropriation of the commission in any succeeding fiscal year, to be used for the purpose herein contained.

Sanitary engineering:		
Salary of executive director	\$ 16,782	
Other personal services:		
Permanent	66,819	
Other	6,000	
	<hr/>	
Total	\$ 89,601	
Current expenses	6,800	
Travel:		
In state	5,000	
Out of state	400	
	<hr/>	
Total		101,801

Federal funds:		
Personal services:		
Permanent	\$ 23,232	
Other	3,500	
	<hr/>	
Total	\$ 26,732	
Current expenses	3,368	
Travel:		
In state	1,000	
Out of state	800	
Equipment	900	

Other expenditures:		
Oasi and retirement	2,100	
Blue cross and insurance	100	
	<hr/>	
Total	\$ 35,000	
Less estimated revenue	35,000	
	<hr/>	
Net appropriation		0
		<hr/>
Total for water pollution commission		\$1,827,411
		<hr/> <hr/>
For civil defense:		
Administration:		
Personal services:		
Permanent	\$ 70,696	
Current expenses	9,200	
Travel:		
In state	25	
Out of state	200	
Equipment†	8,935	
Other expenditures:		
Gilford training center	1,000	
Radiological courses and training		
at federal schools	200	
Merit system	260	
	<hr/>	
Total		\$ 90,516
Field staff:		
Travel:		
In state	\$ 2,500	
Out of state	300	
	<hr/>	
Total		2,800
		<hr/>
Total for civil defense*		\$ 93,316
Less estimated federal reimbursement*		40,404
		<hr/>
Net appropriation		\$ 52,912
		<hr/> <hr/>

†In this appropriation \$3,500 is for a repeater station for EBS and RACES and no part of this amount shall be transferred or used for any other purpose.

\*This amount available for expenditure only if federal grants are available. Any funds in excess of the estimated federal grants shall be

available for such further expenditure as the governor and council shall approve. Any curtailment of civil defense activities caused by a decrease in federal grants will be implemented by a proportionate decrease in all classes of expenditure as recommended by the civil defense director and approved by the governor and council, including any permanent personal services formerly covered by federal funds.

For civil air patrol:

Current expenses	\$ 15,000
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For public works division of department of  
public works and highways:

Personal services:

Permanent	\$103,019
Other	40,000

Total	\$143,019
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Current expenses	20,000
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Travel:

In state	5,800
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Out of state	285
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Equipment	6,500
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Other expenditures:

Administrative costs to department of public works and highways	5,000
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Total	\$180,604
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Less estimated credits	7,000
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Net appropriation	\$173,604
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For fish and game department:

Commission:

Current expenses	\$ 50
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Travel:

In state	1,150
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Total	\$ 1,200
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Administration:

Salary of director	\$ 13,500
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Other personal services:

Permanent	64,070
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Other	1,400
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Total	\$ 78,970
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Current expenses	29,000	
Travel:		
In state	700	
Out of state	700	
Equipment	17,300	
Other expenditures:		
Retirement	37,290	
Oasi	35,337	
Life insurance and blue cross	5,450	
	<hr/>	
Total		204,747

Conservation officers:		
Personal services:		
Permanent	\$276,374	
Other	9,000	
	<hr/>	
Total	\$285,374	
Current expenses†	31,000	
Travel:		
In state	44,000	
Out of state	350	
Equipment*	43,700	
	<hr/>	
Total		404,424

\*This appropriation is for radio equipment and shall not be transferred or expended for any other purpose.

†No charge against this appropriation, or any other appropriation of the fish and game department, shall be made for telephone services for conservation officers, except for toll services.

Damage:		
Personal services:		
Permanent	\$ 7,901	
Other	1,800	
	<hr/>	
Total	\$ 9,701	
Current expenses	5,000	
Travel:		
In state	400	
Other expenditures:		
Damage grants	4,500	
Bobcat bounties*	2,000	
	<hr/>	
Total		21,601

\*No part of this appropriation shall be transferred or expended for any other purpose.

Education:

Personal services:

Permanent	\$ 24,461
Other	500

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Total	\$ 24,961
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Current expenses	15,000
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Travel:

In state	1,750
Out of state	350
Equipment	1,020

Other expenditures:

Shows†	500
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Total	43,581
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†Not to be transferred or expended for any other purpose.

Inland fisheries (propagation of fish):

Personal services:

Permanent	\$303,408
Other	5,200

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Total	\$308,608
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Current expenses	94,000
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Travel:

In state	6,625
Out of state	350
Equipment	12,000

Other expenditures:

U.N.H. contract	10,000
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Total	431,583
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Propagation of game:

Personal services:

Permanent	\$ 21,909
Other	875

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Total	\$ 22,784
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Current expenses	16,000
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Travel:		
In state	50	
Equipment	2,200	
	<hr/>	
Total		41,034
Management and research:		
Personal services:		
Permanent	\$150,739	
Other	2,000	
	<hr/>	
Total	\$152,739	
Current expenses	30,000	
Travel:		
In state	5,000	
Out of state	725	
Equipment	12,065	
Other expenditures:		
U.N.H. contract	4,500	
	<hr/>	
Total		205,029
Maintenance and construction:		
Personal services:		
Permanent	\$ 80,217	
Other	4,000	
	<hr/>	
Total	\$ 84,217	
Current expenses	30,505	
Travel:		
In state	3,000	
Out of state	250	
Equipment	9,135	
Other expenditures:		
Land acquisition	100	
Adams Point property	5,000	
	<hr/>	
Total		132,207
		<hr/>
Total for fish and game department		\$1,485,406
Less revenue and balance		1,485,406
		<hr/>
Net appropriation		\$ 0
		<hr/>

Note: In addition to the above appropriations, any excess over the estimated revenue and balance may be expended by the fish and game commission with the prior approval of the governor and council. Appro-



priations for equipment shall not be transferred or expended for any other purpose.

For marine fisheries:

Personal services:

Permanent	\$ 11,206
Other	1,946

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Total	\$13,152
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Current expenses	3,500
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Travel:

In state	800
Out of state	1,400

Equipment	1,400
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Other expenditures:

Atlantic coast marine fisheries	700
Project 3-31-R	2,000
Project 3-32-R	6,167

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Total	\$ 29,119
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Less estimated revenue	29,119
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Net appropriation	\$ 0
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For public works and highways:

Administration:

Salary of Commissioner	\$ 18,620
Salary of deputy commissioner	16,800
Salary of assistant commissioner	16,620

Other personal services:

Permanent	371,196
Other	7,500

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Total	\$ 430,736
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Current expenses	181,000
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Travel:

In state	500
Out of state	4,000

Equipment	3,585
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Total	\$ 619,821
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Engineering:

Personal services:

Permanent	\$3,544,256
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Other	945,000	
Total	<u>\$4,489,256</u>	
Current expenses	170,000	
Travel:		
In state	230,000	
Out of state	5,000	
Equipment	<u>24,000</u>	
Total		4,918,256
Materials and research:		
Personal services:		
Permanent	\$ 338,978	
Other	<u>13,440</u>	
Total	<u>\$ 352,418</u>	
Current expenses	34,000	
Travel:		
In state	41,940	
Out of state	500	
Equipment	<u>6,420</u>	
Total		435,278
Mechanical:		
Personal services:		
Permanent	\$ 448,937	
Other	<u>9,192</u>	
Total	<u>\$ 458,129</u>	
Current expenses	815,000	
Travel:		
In state	2,680	
Out of state	320	
Equipment	<u>560,000</u>	
Total		1,836,129
Planning and economics		
Personal services:		
Permanent	\$ 286,554	
Other	<u>18,370</u>	
Total	<u>\$ 304,924</u>	
Current expenses	20,900	

Travel:		
In state	7,195	
Out of state	800	
Equipment	12,045	
	<hr/>	
Total		345,864
Road maintenance:		
Personal services:		
Permanent	\$3,614,928	
Other	379,248	
	<hr/>	
Total	\$3,994,176	
Current expenses	5,713,000	
Travel:		
In state	131,000	
Equipment	139,970	
	<hr/>	
Total		9,978,146
Bridge maintenance:		
Personal services:		
Permanent	\$ 323,077	
Other	30,000	
	<hr/>	
Total	\$ 353,077	
Current expenses	334,714	
Travel:		
In state	70,000	
Equipment	11,485	
	<hr/>	
Total		769,276
Traffic: (highway marking and roadside development)		
Personal services:		
Permanent	\$ 321,232	
Other	31,000	
	<hr/>	
Total	\$ 352,232	
Current expenses	365,000	
Travel:		
In state	67,000	
Out of state	400	
Equipment	4,180	
	<hr/>	
Total		788,812

## Legislative specials:

Claims	\$ 750	
Retirement	355,000	
Oasi	385,330	
Maintenance, class V highways	250,100	
Roads to public waters	10,000	
Accidents and compensation	42,000	
Special retirement	2,064	
Attorney general—for legal services	70,902	
Safety department—for commissioner, division of motor vehicles, state police and safety services	2,490,696	
Water resources—for stream flow gauging	10,000	
State treasurer—for services	22,153	
Blue cross and insurance	52,000	
Highway beautification—outdoor advertising	25,000	
Junkyards	25,000	
State coordinator of highway safety	27,040	
Total		3,768,035

## Highway safety rest areas:

Permanent personal services	\$ 63,000	
Temporary personal services	32,000	
Current expenses	10,600	
Equipment	2,000	
Travel:		
In state	800	
Total		108,400

Debt service 4,669,025

Land and buildings 570,000

## Construction and reconstruction:

## Matching funds (federal aid) :

Interstate	\$17,032,000
Primary	4,768,400
Secondary	3,178,900
Urban	1,423,000

Total—matching funds† 26,402,300

†No transfers shall be made from this appropriation.

## State Funds:

Trunk line reconstruction	\$ 100,000
State aid reconstruction	100,000

State aid construction	100,000
Town road aid	1,500,000
Betterments	1,500,000
State aid bridge construction	150,000
Town road bridge	75,000
Federal land funds	100,000
Damage	100,000
	<hr/>
Total	3,725,000

Total for public works and highways	<hr/> \$58,934,342
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Less estimated revenue and balance:

Available from estimated lapses and balance	\$ 1,215,546
Gasoline road toll (net)	19,740,600
Motor vehicle fees (gross)	11,370,482
Mechanical division (garage)	1,610,000
Federal aid funds (net)	20,647,714
Other revenue	350,000
Funds from issuance of bonds	4,000,000
	<hr/>
Total	58,934,342

Net appropriation	<hr/> <hr/> \$ 0
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For eastern New Hampshire turnpike:

Blue Star memorial highway (Seabrook-Portsmouth toll road) :

Operating:

Personal services:

Permanent	\$108,960
Other	37,000

Total	<hr/> \$145,960
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Current expenses	95,458
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Travel:

In state	1,000
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Equipment	4,630
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Total	<hr/> \$247,048
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Maintenance:

Personal services:

Permanent	\$ 65,393
Other	3,850

Total	<hr/> \$ 69,243
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Current expenses	173,164	
Travel:		
In state	700	
Equipment	30,000	
	<hr/>	
Total		273,107
Debt service:		
Bonds maturing	\$320,000	
Interest on bonds	51,840	
	<hr/>	
Total		371,840
		<hr/>
Total for blue star memorial highway		\$891,995
Spaulding turnpike:		
Operating:		
Personal services:		
Permanent	\$ 95,136	
Other	18,000	
	<hr/>	
Total	\$113,136	
Current expenses	92,700	
Travel:		
In state	1,250	
Equipment	3,860	
	<hr/>	
Total		\$210,946
Maintenance:		
Personal services:		
Permanent	\$ 67,549	
Other	4,500	
	<hr/>	
Total	\$ 72,049	
Current expenses	60,000	
Travel:		
In state	1,100	
Equipment	25,000	
	<hr/>	
Total		158,149
Debt service:		
Bonds maturing	\$390,000	

Interest on bonds	356,775	
Total	<u>\$746,775</u>	
Total for spaulding turnpike		1,115,870
Total for eastern New Hampshire turnpike*		<u>\$2,007,865</u>
Less estimated revenue		2,007,865
Net appropriation		<u>\$ 0</u>

\*Expenditures for fiscal 1968 shall not exceed actual revenue.

For central New Hampshire turnpike

Operating:

Personal services:

Permanent	\$132,278
Other	15,496

Total	<u>\$147,774</u>
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Current expenses	185,094
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Travel:

In state	1,800
Equipment	4,145

Total	<u>\$ 338,813</u>
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Maintenance:

Personal services:

Permanent	\$135,114
Other	7,500

Total	<u>\$142,614</u>
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Current expenses	122,995
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Travel:

In state	2,500
Equipment	34,000

Total	<u>302,109</u>
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Debt service:

Bonds maturing	\$565,000
Interest on bonds	449,225

Total	<u>1,014,225</u>
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Total for central New Hampshire turnpike*	\$1,655,147
Less estimated revenue	1,655,147
Net appropriation	\$ 0

\*Expenditures for fiscal 1968 shall not exceed actual revenue.

Total net appropriation for the fiscal year ending June 30, 1968	\$53,834,077
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**379:2 Out of state travel.** Notwithstanding any other provision of law, no transfers shall be made to or from any out of state travel appropriation authorized by section 1. The state treasurer and the state comptroller shall maintain separate appropriation accounts for out of state travel as appropriated in section 1.

**379:3 Equipment.** The individual appropriations provided for equipment in section 1 hereof shall not be transferred or expended for any other purpose.

**379:4 Estimated federal funds.** If under any appropriation in section 1 the federal grant received is less than estimated, the total appropriation shall be reduced by the amount of reduction in federal estimates and the applicable state matching funds.

**379:5 Bond issue authorized.** To provide funds for the purpose of construction and reconstruction of highways, the state treasurer is hereby authorized to borrow upon the credit of the state in a sum not exceeding four million dollars and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The interest and principal due on bonds or notes issued under this section shall be a charge upon the highway fund.

**379:6 Continuing appropriation.** The monies provided in section 5 hereof shall be a continuing appropriation and shall not lapse.

**379:7 Return of improper remittances.** Amend RSA 6:11 (supp) as amended by 1965, 239:13 by inserting in line nine after the word "nine" the following: (Provided however, that any check, draft, or money order received by the department of safety, the amount of which is incorrect or if an application is required to be submitted therewith, and said application is not so submitted or is improper or incorrect, said check, draft, or money order may be returned to the sender and not deposited with the state treasurer.) so that said section as amended shall read as follows: 6:11 Payments to treasurer. All state departments and institutions, except the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire, and the building projects revolving fund of the state board of education, receiving money for the state from sources



outside of the state treasury, shall pay the full amount of all said moneys intact into the state treasury weekly, or as much oftener as the governor and council shall direct, with a full and detailed statement thereof, including the date of and the source from which the same was received and the consideration therefor. Provided, however, that any check, draft, or money order received by the department of safety, the amount of which is incorrect or if an application is required to be submitted therewith, and said application is not so submitted or is improper or incorrect, said check, draft, or money order may be returned to the sender and not deposited with the state treasurer. Such accounts shall be stated by properly classified totals in all reports.

**379:8 Salary adjustments.** Upon request of the appointing authority, the governor and council is hereby authorized and empowered, notwithstanding any other provision of law to the contrary, upon a finding by them that it is in the best interests of the state and is necessary in order to recruit and/or retain qualified personnel to increase the salaries of any of the following listed and identified positions, and all such increases granted shall be a charge against the salary adjustment fund: assistant superintendent New Hampshire Hospital, directors of clinical services, director of clinical and surgical services, director of division of mental health, director of division of public health services, director of outpatient services, director of psychiatric education and research, senior psychiatrists, superintendent New Hampshire Hospital, and superintendent of state sanatorium; all classified positions that, in the best interests of the state, require they be filled by a person certified or eligible to be certified by the American Board of Neurology and Psychiatry or by a diplomate or person eligible to be a diplomate of the American Psychological Association or by a person registered and licensed or eligible to be registered and licensed to practice medicine in this state or by a person licensed or eligible for licensure to practice dentistry in this state. In the event the authority hereby granted is exercised to increase the salary for any such classified position in order to recruit or retain personnel, the salary of all classified personnel in the same classification shall be increased pursuant to this section to the same amount. Notwithstanding any other provisions of law to the contrary, no classified employee of the state shall be paid a higher salary than the highest salary range provided for by RSA 99, as amended, except as provided for by this section.

**379:9 Assistant state treasurer.** Amend RSA 6 by inserting after section 27 the following new subdivision:

#### **Assistant State Treasurer**

**6:28 Appointment; removal.** The state treasurer shall appoint an assistant state treasurer who shall hold office during good behavior. The

governor and council may remove the assistant for cause as they may remove the treasurer.

**6:29 Oath; bond.** Before entering upon the duties of the office, the assistant state treasurer shall be sworn, and shall give bond to the state in the sum of twenty thousand dollars, with sufficient sureties to be approved by the governor and council, conditioned for the faithful discharge of the duties of the office. The bond shall be filed and preserved in the office of the secretary of state.

**6:30 Duties.** The assistant state treasurer shall be in charge of the retirement division of the state treasury under the direction of the state treasurer. He shall perform such other duties as may be assigned to him by the treasurer.

**6:31 Salary.** The annual salary of the assistant state treasurer shall be that prescribed by RSA 94:1-4.

**379:10 Unclassified salary.** Amend RSA 94:1, as amended, by deleting the following:

Assistant business supervisor	\$10,500	\$12,000
Assistant business supervisor — agriculture	9,000	10,500
Business supervisor — health and welfare	12,000	13,500
Executive director, water pollution commission	15,000	16,500

Further amend RSA 94:1, as amended, by inserting in the proper alphabetical order the following:

Assistant business supervisors	\$10,500	\$12,000
Assistant state treasurer	9,000	10,500
Chief aquatic biologist, water supply and pollution control commission	8,280	10,280
Deputy executive director and chief engineer, water supply and pollution control commission	11,600	14,320
Director of municipal services and assistance, water supply and pollution control commission	8,280	10,280
Executive director, water supply and pollution control commission	15,000	16,500
Senior industrial agents	8,600	10,630

**379:11 Stenographic overtime.** Employees of the secretary of state's office shall be reimbursed for overtime work performed on legislative matters for the 1967 session of the general court at the rate of three dollars and fifty cents per hour, payments of such overtime shall be a charge on the legislative appropriation.

**379:12 Room assignment.** Other provisions of law notwithstanding,

all rooms on the third floor of the state house shall be assigned for use by the president of the senate and the speaker of the house.

**379:13 Sweepstakes commission funds.** Notwithstanding any provision of law to the contrary, in order to allow the sweepstakes commission to efficiently handle its funds, the commission shall deposit all funds received by it in commercial banks throughout the state in not more than as many different accounts as there are outlets for the sale of tickets. The commission may maintain a balance of \$20,000 in one of said accounts and \$10,000 in all others. All funds in said accounts in excess of said balance shall be transferred weekly to a special sweepstakes bank account in which there shall be maintained a minimum balance of \$100,000, as soon as said amount is available from current sales of tickets. All sums in excess of said minimum of \$100,000 in said special account shall be remitted weekly to the state treasurer for credit to the sweepstakes special fund. Provided however, that on or before December 15 of each year all minimum balances shall be paid into the state treasurer.

**379:14 Fiscal committee study.** The fiscal committee of the general court is hereby directed to investigate and study the question of whether, in order to make the fullest use possible of the physical plants of the technical institute and vocational-technical institutes and the capital invested therein and in order to make available the greatest number of trained graduates of said institutes in the shortest period of time, the technical institute and vocational-institute, or any of them, should for the good of the state be operated and in session full time for all twelve months of every year.

**379:15 Interim employment.** In addition to any sum hereinabove appropriated for the office of the secretary of state there is hereby appropriated \$6,500 for the employment of Benjamin F. Greer, clerk of the senate during the period from July 1, 1967 to June 30, 1968 at the rate of \$250 bi-weekly. The services of said Benjamin F. Greer shall be available to interim legislative committees and to the secretary of state's department. The sum hereby appropriated shall be a charge on the legislative appropriation.

**379:16 Room assignment.** Other provisions of law notwithstanding all rooms on the third floor of the state house shall be assigned for use by the President of the Senate and the Speaker of the House.

**379:17 Technical Institutes and Vocational-Technical Schools.** Amend RSA 188-A:2 as inserted by 1961, 267:1 by inserting after section 2 a new section as follows: 188-A:2-a Director of Technical Institute, Salary. The commissioner, subject to the approval of the state board, shall appoint a director of each technical institute. The director shall be responsible for the administration and operation of the technical institute

and he shall perform any other duties concerning the institute assigned to him by the commissioner. His appointment is for an indefinite term. He may be removed only in accordance with RSA 4:1. He need not be a resident of this state when appointed. The salary of the technical institute director shall be fixed by RSA 94:1.

**379:18 Expenses of the General Court.** Amend RSA 14:27-b (supp) as inserted by 1965, 239:17 by striking out said section and inserting in place thereof the following:

**14:27-b Expenses of the General Court During Interim.** During the period when the legislature is not in session, no expenditure shall be charged against the legislative appropriation for the expenses of the legislature, exclusive of appropriations included therein for the office of the legislative budget assistant to the appropriations and finance committees, office of research analyst to the senate finance committee, and the office of the director of legislative services, without the authorization and approval of the president of the senate in the case of expenditures for the senate and the speaker of the house in the case of expenditures for the house. No expenditure of said funds shall be made without certification by the chairman or vice chairman of the senate finance committee in the case of senate expenditures or the chairman or vice chairman of the house appropriations committee in the case of house expenditures that sufficient funds are available in the particular appropriation. Authority is also granted hereby to the president of the senate and the speaker of the house to purchase supplies and equipment and to cause payment of expenses incidental to the operation and business of the legislature while the legislature is not in session. Such purchasing or payments shall be a charge upon the legislative appropriation, except such expenses as are otherwise specifically provided for by law. In the event of a vacancy in the office of president of the senate or of the speaker of the house during the period the legislature is not in session, the chairman of the senate finance committee or the chairman of the house appropriations committee respectively shall have and exercise the authority conferred upon the president and the speaker by this section.

**379:19** All psychiatric nurses in the classified service are hereby increased one salary grade effective July 14, 1967. All remaining nurse classifications requiring registration are hereby increased two salary grades effective July 14, 1967.

**379:20 Committee Established.** There is hereby established a committee of six members, composed of the president of the senate, the speaker of the house, and the majority and minority leaders of the house and senate, to research, record and publish the history, background, story, development, and achievements of the General Court in such form as it may determine with the purpose in view of making available in convenient, interesting, and readable form to the people of the state and teach-

ers and students this facet of the history of our state. There is hereby appropriated for the fiscal year ending June 30, 1968 the sum of eight thousand dollars which shall be non lapsing to be expended by the committee to pay for the costs hereof including but not limited to the employment of clerical, research, consultant and expert personnel to assist the committee in carrying out the purposes for which it is hereby established, which shall be a charge against the legislative appropriation. All state, county, city and town officers, agencies and departments are hereby directed to cooperate fully with the committee in furnishing to it data, information and facts relative to the General Court which come within their custody or knowledge in their official capacity.

**379:21 Computerized Statutory Search System for Revised Statutes Annotated.** The director of legislative services is hereby authorized, directed and empowered to computerize a statutory code search system of the New Hampshire revised statutes annotated designed for the greatest use possible by the general court, the judiciary, office of the attorney general, and such other departments and agencies as could effectively utilize such system. Notwithstanding any other provisions of law, the said director, with the approval of the legislative services committee, is authorized and empowered to contract with a competent and qualified vendor experienced in computerized data retrieval systems to provide necessary text tape and search program and such other type composition tape with appropriate coding and data for printing of statutes as may be required. The commissioner of public works and highways is authorized and directed to cooperate with the office of legislative services as may be requested in the development of this program. The sum of fifty thousand dollars is hereby appropriated to the office of legislative services for the purposes of this act. Said sum shall be in addition to any other appropriations for the office of legislative services, shall be a continuing appropriation, may not be transferred, and shall be a charge on the legislative appropriation.

**379:22 Study committee.** A special study committee is hereby established to examine the recent United States Supreme Court rulings and in the light of their findings to recommend formative legislation which should be impervious to constitutional challenge. The committee shall consist of nine members, one member to be the president of the New Hampshire Bar Association or his designate, one member to be the president of the University or his designate, one member to be the professional consultant in charge of subversive investigations, one member of the senate to be appointed by the president of the senate, one member of the house of representatives to be appointed by the speaker of the house, and four members to be appointed by the governor. The committee shall submit its report to the legislature at the earliest date consistent with thorough study of the issue to permit the drafting of precise remedial legisla-

tion. The members of said committee who are members of the general court shall be reimbursed for their mileage and expenses when engaged in their duties hereunder as provided by RSA 14-A:3. The other members of the committee shall receive no compensation for their services but shall be entitled to expenses including mileage in the performance of the duties of the committee. The sum of one thousand dollars (\$1,000) is hereby appropriated for said mileage and expenses and also for clerical or professional services in connection with the preparation of the report of said committee to the legislature. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

**379:23 Takes effect.** This act shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 380.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF CERTAIN DEPARTMENTS OF THE STATE FOR THE YEAR ENDING JUNE 30, 1969.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**380:1 Appropriations:** The sums hereinafter mentioned are appropriated to be paid out of the treasury of the state for the purposes specified for the departments herein named, for the fiscal year ending June 30, 1969, to wit: A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$236,500 for the office of legislative budget assistant, and \$86,000 for the office of legislative services, as follows: (Salary of legislative budget assistant \$17,680, Other expenditures \$218,820†), (Legislative services — Other expenditures \$86,000):

	\$778,375
Travel and expenses authorized by RSA 14-A:3 (Supp.)	10,000
Legislative council	5,000
Council of state governments	4,625

Total for legislative branch	\$798,000
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†In this appropriation \$7,000, or so much as necessary, may be expended by the legislative budget assistant for an audit of the state treasury. The legislative budget assistant may designate a certified public accountant, not employed in state service, to make the annual audit of the state

treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of paragraph II, section 31, chapter 14, RSA, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer. The legislative budget assistant shall, when overtime or temporary assistance is necessary, obtain such assistance and determine the compensation therefor. Other provisions of law notwithstanding, the legislative budget assistant shall also serve as research analyst to the senate finance committee, pursuant to the provisions of RSA 14:40. All personnel, equipment, supplies and appropriations of the research analyst to the senate finance committee are hereby transferred to the legislative budget assistant's office, as of July 1, 1967.

For judicial branch:

For supreme court:

Salaries of justices	\$114,140
Salary of clerk-reporter	15,360
Other personal services:	
Permanent	19,090
Other	1,600

Total	\$150,190
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Current expenses	5,900
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Travel:

In state	2,200
Out of state	1,750

Equipment	70
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Other expenditures:

N.H. supreme court reports	6,500
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Total	\$166,610
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Less estimated revenue	650
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Net appropriation	\$165,960
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For superior court:

Salaries of judges	\$165,500
Salaries of judicial referee	16,500

Other personal services:

Permanent†	86,482
Other	100

Total	\$268,582
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Current expenses	9,000
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## Travel:

In state	15,500
Out of state	1,000

Total	\$294,082
Less reimbursements	86,482

Net appropriation 207,600

†The funds in this appropriation are for court stenographers which may be increased with approval of governor and council provided the counties are billed for total expenditures.

## For probate court:

Salaries of judges, registers and deputies 166,815

For judicial council†† 10,712

††In this appropriation \$6,400 shall be for the salary of the secretary.

## For administrative committees:

For district and municipal courts \$6,948

For probate courts 500

Total 7,448

Total for judicial branch \$558,535

## For executive branch:

## Office of governor:

Salary of governor \$30,000

## Other personal services:

Other† 66,428

Total \$96,428

Current expenses 9,000

## Travel:

In state\* 2,500

Out of state 2,000

Equipment 5,000††

## Other expenditures:

Contingent fund 15,000

Governor's special fund\*\* 10,000

Trainee program††† 22,000

New England governors' council 8,000

Emergency fund 50,000

Operating budget contingent fund\*\*\* 100,000



Governor's legal council	7,500
Secretary for legal council	2,500

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Total \$329,928

†Salaries paid out of this appropriation shall be at levels set by the governor.

\*Expense of operating and maintenance of the governor's state car shall be charged to this appropriation.

††Included in this sum is \$4,000 for purchase of new state car for the governor.

\*\*The funds appropriated under this item are to be spent by the governor at his own and sole discretion for state purposes, included but not limited to participation in the activities of the United States Governors' Conference, the New England Governors' Conference, and the council of state governments, for which monies are not otherwise appropriated.

†††The funds in this appropriation shall not be transferred or used for any other purpose.

\*\*\*Transfers from this fund are subject to prior approval by the governor and council and may be made to all state agency appropriations, excluding only the governor and council. The director of accounts shall keep a record of transfers approved for other than general fund agencies and shall report such special fund transfers to the legislature for appropriate adjustment between funds.

Office of economic opportunity:

Personal services:

Other	\$65,122
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Current expenses	6,500
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Travel:

In state	3,500
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Out of state	900
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Other expenditures:

VISTA transportation	7,260
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Total	\$83,282
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Less estimated federal grant	71,282
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Net appropriation	12,000
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Office of coordinator of federal funds:

Salary of coordinator	\$13,000
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Personal services:

Permanent	4,111
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Total	\$17,111
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Current expenses	1,320	
Travel:		
In state	300	
Out of state	1,000	
Equipment	95	
	<hr/>	
Total		19,826
Executive council:		
Personal services:		
Other — per diem	\$19,750	
Secretary to executive council	4,500	
	<hr/>	
Total	\$24,250	
Current expenses	1,600	
Travel:		
In state	6,000	
Out of state	500	
	<hr/>	
Total for executive council		32,350
		<hr/>
Total for executive branch		\$394,104
		<hr/> <hr/>
For adjutant general's department:		
Central administrative office:		
Salary of adjutant general	\$13,560	
Other personal services:		
Permanent	59,990	
Other	1,000	
	<hr/>	
Total	\$74,550	
Current expenses	7,000	
Equipment	2,500	
Other expenditures:		
State flags	500	
	<hr/>	
Total		\$84,550
National guard:		
Personal services:		
Other	\$13,000*	
Current expenses	2,275	
Travel:		
In state	500	
Out of state	800	

Other expenditures:		
Social security	250	
	<hr/>	
Total		16,825
*Not to be transferred or expended for any other purpose.		
Armories:		
Personal services:		
Permanent	\$107,371	
Other	1,000	
	<hr/>	
Total	\$108,371	
Current expenses	95,000	
Equipment	855	
	<hr/>	
Total		204,226
Officers' uniform allowance:		
Current expenses		8,000
State military reservation — Concord:		
Personal services:		
Permanent	\$42,048	
Current expenses	35,000	
Travel:		
In state	175	
Equipment	1,500	
	<hr/>	
Total		78,723
State military reservation — Pease air force base,		
Portsmouth:		
Personal services:		
Permanent	\$13,413	
Current expenses	35,500	
Travel:		
Out of state	200	
	<hr/>	
Total		49,113
New Hampshire military academy		5,000
	<hr/>	
Total for adjutant general's department	\$446,437	
Less estimated revenue	77,355	
	<hr/>	
Net appropriation	\$369,082	
	<hr/> <hr/>	

## For administration and control:

## Division of budget and control:

Salary of comptroller	\$17,620
Salary of business supervisor	13,560
Salary of assistant business supervisors	34,982

## Other personal services:

Permanent	9,470
Other	2,500

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Total	\$78,132
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Current expenses	4,500
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## Travel:

In state	500
Out of state	500

Equipment	400
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## Other expenditures:

Firemen's relief	4,000
League of N.H. arts and crafts	10,000

## New England board of higher education:

Expenses	11,411
Grants	50,000

Preparation of governor's budget	7,000†
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## Oasi contributions:

State employees	819,558
Teachers	780,000

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Total	\$1,766,001
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†This appropriation shall not be transferred or expended for any other purpose.

## Division of accounts:

Salary of director	\$13,560
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## Other personal services:

Permanent	90,617
Other	2,200

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Total	\$106,377
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Current expenses	20,300
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## Travel:

In state	100
Out of state	250

Equipment	380
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Total	127,407
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## Division of investigation of accounts:

## Personal services:

Permanent

\$35,222

Current expenses

275

## Travel:

In state

3,500

Total

38,997

## Division of purchase and property:

Salary of director

\$13,621

## Other personal services:

Permanent

81,345

Other

2,475

Total

\$97,441

Current expenses

4,600

## Travel:

In state

750

Out of state

600

Equipment

450

Total

\$103,841

## Warehouse division:

## Personal services:

Other

\$6,750

Current expenses

11,103

Equipment

100

## Other expenditures:

Fixed charges — bond payment and interest

5,700

Total

\$23,653

Less estimated revenue

23,653

Net appropriation

\$ 0

Total for division of purchase and property

103,841

## Division of buildings and grounds:

## Personal services:

Permanent

\$216,287

Other

1,121

Total

\$217,408

Current expenses

98,000

Travel:		
In state	300	
Out of state	350	
Equipment	400	
Other expenditures:		
Cleaning legislative areas	6,000	
Building repairs — contractual	800	
Cleaning portraits	1,000	
	<hr/>	
	\$324,258	
	<hr/>	
Former post office building:*		
Personal services:		
Permanent	\$24,571	
Other	300	
	<hr/>	
Total	\$24,871	
Current expenses	13,509	
	<hr/>	
Total	\$38,380	
	<hr/>	
Total for division of buildings and grounds		362,638
*No part of this appropriation shall be available until the state has title to the real property relative to which it is made and in the event the state has not received title at the beginning of the fiscal year the appropriation shall be reduced in proportion as the part of the fiscal year during which it did not have title bears to a full fiscal year.		
Mailing division:		
Personal services:		
Permanent	\$14,752	
Current expenses	896	
	<hr/>	
Total		15,648
Telephone switchboard division:		
Personal services:		
Permanent	\$13,179	
Other	1,800	
	<hr/>	
Total	\$14,979	
Current expenses	22,575	
	<hr/>	
Total		37,554

Note: The comptroller shall take such action as is necessary for the installation of a Centrex telephone system. It is recommended that the control room and equipment for the Centrex telephone system should be installed in a building other than the state house.

Division of records management and archives:

Salary of director	\$9,620	
Personal services:		
Permanent	8,903	
Other	250	
	<hr/>	
Total	\$18,773	
Current expenses	3,700	
Travel:		
In state	50	
Out of state	150	
	<hr/>	
Total		22,673

State historical commission:

Personal services:		
Other	\$500	
Current expenses	500	
Travel:		
In state	500	
Out of state	100	
	<hr/>	
Total		1,600

N.H. distributing agency:

Surplus foods division:		
Salary of director*	\$10,560	
Other personal services:		
Permanent	33,755	
Other	4,000	
	<hr/>	
Total	\$48,315	
Current expenses	16,875	
Travel:		
In state	2,000	
Out of state	250	
Equipment	5,485	

Other expenditures:	
Oasi and retirement	4,179
Blue cross and insurance	375

Total	\$77,479
Less estimated revenue and balance†	77,479

Net appropriation 0

Surplus property division:	
Salary of deputy director	\$8,560
Other personal services:	
Permanent	10,780
Other	1,000

Total	\$20,340
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Current expenses	16,450
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Travel:

In state	600
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Out of state	625
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Equipment	1,100
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Other expenditures:

Oasi and retirement	1,759
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Blue cross and insurance	141
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Total	\$41,015
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Less estimated revenue and balance†	41,015
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Net appropriation 0

†Authority is hereby given to utilize so much as may be necessary of the balance accumulated at June 30, 1968, or any surplus accumulating during the fiscal year 1969 within this subdivision, with approval of the governor and council, to efficiently operate this division without the use of any other state funds.

\*With the approval of the governor and council the director of the New Hampshire distributing agency is authorized to transfer personnel, appropriations or portions thereof, as well as equipment, between the subdivisions of the agency. Such transfers shall not place an unwarranted demand upon the fund balances of either surplus food or surplus property.

Total for administration and control	\$2,476,359
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For agriculture:

Office of commissioner:

Salary of commissioner	\$13,500
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Other personal services:		
Permanent	48,171	
	<hr/>	
Total	\$61,671	
Current expenses	14,475	
Travel:		
In state	3,800	
Out of state	1,800	
Equipment	2,550	
Other expenditures:		
Feed, seed and fertilizer analytical services	29,410	
Agricultural marketing and research program	1,200	
	<hr/>	
Total	\$114,906	
Less estimated federal funds	7,500	
	<hr/>	
Net appropriation		\$107,406
Pesticide control:		
Personal services:		
Permanent	\$11,554	
Current expenses	944	
Travel:		
In state	1,260	
Out of state	400	
Equipment	1,785	
Other expenditures:		
Expense re pesticide control law	10,000	
	<hr/>	
Total	\$25,943	
Less estimated revenue	26,000	
	<hr/>	
Net appropriation		—57
Division of markets and standards:		
Bureau of markets:		
Personal services:		
Permanent	\$48,893	
Current expenses	16,850	
Travel:		
In state	2,745	
Out of state	350	
Equipment	3,835	
Other expenditures:		
Cooperative grant to New England crop reporting service	800	

Rodent control work in cooperation with federal government	150	
Federal supervision in connection with farm produce inspection	50	
	<hr/>	
Total		73,673
Bureau of weights and measures:		
Personal services:		
Permanent	\$46,162	
Current expenses	3,365	
Travel:		
In state	5,100	
Out of state	175	
Equipment	3,360	
	<hr/>	
Total	\$58,162	
Less estimated revenue	25,000	
	<hr/>	
Net appropriation		33,162
Division of animal industry:		
Salary of state veterinarian	\$10,752	
Other personal services:		
Permanent	60,855	
	<hr/>	
Total	\$71,607	
Current expenses	13,300	
Travel:		
In state	6,800	
Out of state	550	
Equipment	2,600	
Other expenditures:		
Veterinary services — other than testing	3,000	
Tubercular testing	25,500	
Brucellosis, vibrosis and leptospirosis testing	30,000	
Testing for mastitis control	500	
Indemnities for condemned animals	700	
Diagnostic services for domestic animals	12,000	
	<hr/>	
Total	\$166,557	
Less estimated revenue	32,500	
	<hr/>	
Net appropriation		134,057

Division of insect and plant disease  
suppression and control:

Salary of state entomologist \$3,680

Other personal services:

Permanent 20,201

Other 7,130

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Total \$31,011

Current expenses 1,200

Travel:

In state 3,860

Out of state 400

Equipment 522

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Total 36,993

Veterinary examiners 750

Licensing of live poultry dealers 140

Soil conservation districts (10) 2,500

Grants:

State soil conservation committee \$300

Eastern states exhibit 2,000

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Total 2,300

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Total for department of agriculture \$390,924

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For attorney general's department:

Salary of attorney general \$16,716

Salary of deputy attorney general 14,100

Salaries of four assistant attorneys general 50,400

Other personal services:

Permanent 64,446

Other 1,000

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Total \$146,662

Current expenses 7,700

Travel:

In state 2,500

Out of state 1,300

Equipment 2,650

Other expenditures:

Subversive investigation\* 500

Commission on uniform laws 750

Reports and opinions**	2,500
Services of consultant on organized crime	1,000

Total	\$165,562
Less estimated revenue	12,000

Net appropriation	\$153,562
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\*No part of this appropriation shall be expended without approval of the governor and council, and no part of said appropriation shall be transferred or expended for any other purpose.

\*\*This appropriation shall cover the expense of printing certain reports and also the expense of a part time trainee in the office not exceeding five hundred dollars. No part of this appropriation shall be transferred or expended for any other purpose than herein set forth.

Legal assistance for land acquisition:

Salaries of three assistant attorneys general	\$40,500
---	----------

Other personal services:

Permanent	25,522
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Total	\$66,022
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Current expenses	3,160
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Travel:

In state	1,500
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Out of state	500
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Equipment	815
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Total	\$71,997
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Less transfer from highway fund	71,997
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Net appropriation	0
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Division of charitable trusts:

Salary of director	\$6,000
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Other personal services:

Permanent	11,279
-----------	--------

Other	500
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Total	\$17,779
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Current expenses	600
------------------	-----

Travel:

In state	100
----------	-----

Out of state	100
--------------	-----

Equipment	595	
	<hr/>	
Total		19,174
Total for attorney general		<u>\$172,736</u>
For department of health and welfare:		
Office of commissioner of health and welfare:		
Salary of commissioner	\$16,000	
Other personal services:		
Permanent	210,924	
Other	2,000	
	<hr/>	
Total	\$228,924	
Current expenses	53,700	
Travel:		
In state	1,500	
Out of state	1,400	
Equipment	4,140	
Other expenditures:		
Oasi and retirement	19,000	
	<hr/>	
Total for office of commissioner		\$308,664
Advisory commission:		
Personal services:		
Other	\$1,500	
Current expenses	800	
Travel:		
In state	1,000	
Out of state	900	
	<hr/>	
Total for advisory commission		4,200
Division of public health services:		
Administration:		
Salary of director of public health services	\$16,800	
Other personal services:		
Permanent	37,248	
	<hr/>	
Total	\$54,048	
Current expenses	15,200	
Travel:		
In state	1,150	
Out of state	7,125	

Other expenditures:		
Oasi and retirement	7,750	
Blue cross and insurance	1,038	
	<hr/>	
Total	\$86,311	
Less credit transfers	8,000	
Less estimated federal funds	40,000	
	<hr/>	
Net appropriation		\$38,311
Business management:		
Personal services:		
Permanent	\$22,184	
Other	150	
	<hr/>	
Total	\$22,334	
Current expenses	3,200	
Travel:		
In state	400	
Equipment	2,000	
Other expenditures:		
Merit system participation	3,500	
Apha examinations	2,200	
	<hr/>	
Total	\$33,634	
Less estimated federal funds	25,492	
	<hr/>	
Net appropriation		8,142
Special health services:		
Personal services:		
Permanent	\$16,331	
Other	11,000	
	<hr/>	
Total	\$27,331	
Current expenses	19,000	
Travel:		
In state	400	
Other expenditures:		
Chronic illness	60,000	
Sight conservation	29,000	
	<hr/>	
Total	\$135,731	
Less estimated federal funds	80,000	
	<hr/>	
Net appropriation		55,731

## Hospital services:

## Personal services:

Permanent	\$42,672	
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Other	21,100	
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Total	\$63,772	
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Current expenses	700	
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## Travel:

In state	2,500	
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Total	\$66,972	
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Less estimated federal funds	19,000	
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Net appropriation		47,972
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## Vital statistics:

## Personal services:

Permanent	\$46,258	
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Other	500	
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Total	\$46,758	
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Current expenses	11,440	
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Equipment	480	
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Total	\$58,678	
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Less estimated federal funds	14,200	
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Net appropriation		44,478
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## Public health nursing:

## Personal services:

Permanent†	\$163,037	
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Other	3,000	
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Total	\$166,037	
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Current expenses	9,300	
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## Travel:

In state	14,250	
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Equipment	450	
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## Other expenditures:

Training	500	
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Total	\$190,537	
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Less estimated federal funds	86,153	
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Net appropriation		104,384
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†The nurse assigned to the State House first aid room shall be classified as a Public Health Nurse II.

Communicable disease control:

Personal services:

Permanent \$48,476

Other 7,500

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Total \$55,976

Current expenses 35,000

Travel:

In state 2,500

Equipment 950

---

Total \$94,426

Less estimated federal funds 22,000

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Net appropriation 72,426

Dental public health:

Personal services:

Permanent \$40,485

Other 24,000

---

Total \$64,485

Current expenses 1,950

Travel:

In state 2,500

Equipment 275

---

Total \$69,210

Less estimated federal funds 25,000

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Net appropriation 44,210

Maternal child health and crippled children's services:

Personal services:

Permanent \$67,609

Other 44,000

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Total \$111,609

Current expenses 125,000

Travel:

In state 2,200

Equipment 70



## Other expenditures:

Children's program	25,000
Cystic fibrosis	10,000
Rehabilitation*	120,000
Poison information center	3,700

Total	\$397,579
Less estimated federal funds	280,200

Net appropriation 117,379

\*The division of investigation of accounts shall investigate the payment ability of liable persons as provided by RSA 8:40. Expenditure of this appropriation contingent upon 50-50 matching by federal funds.

## Occupational health:

## Personal services:

Permanent	\$80,195
Current expenses	3,700

## Travel:

In state	4,800
Equipment	1,500

Total	\$90,195
Less estimated federal funds	24,000

Net appropriation 66,195

## Food and chemistry:

## Personal services:

Permanent	\$125,378
Other	1,000

Total	\$126,378
Current expenses	6,000

## Travel:

In state	16,000
----------	--------

Total 148,378

## Laboratory services:

## Personal services:

Permanent	\$88,742
Other	28,000

Total \$116,742

Current expenses	25,000	
Total	<u>\$141,742</u>	
Less estimated federal funds	55,000	
	<u></u>	
Net appropriation		86,742
Health insurance benefits:		
Personal services:		
Permanent	\$9,030	
Other	39,955	
	<u></u>	
Total	\$48,985	
Current expenses	3,800	
Travel:		
In state	5,600	
Out of state	2,000	
Other expenditures:		
Blue cross, retirement, oasi	6,140	
	<u></u>	
Total	\$66,525	
Less estimated federal funds	66,525	
	<u></u>	
Net appropriation		0
Home health services:		
Personal services:		
Other	\$ 10,700	
Current expenses	1,000	
Travel:		
In state	500	
Equipment	300	
Other expenditures:		
Local support	62,500	
	<u></u>	
Total	\$ 75,000	
Less estimated federal funds	75,000	
	<u></u>	
Net appropriation		0
Alcoholism:		
Personal services:		
Permanent	\$82,144	
Other	5,600	
	<u></u>	
Total	\$87,744	
Current expenses	7,750	

Travel:		
In state	3,200	
Equipment	450	
	<hr/>	
Total		99,144

Tuberculosis grant:		
Personal services:		
Other	\$31,000	
Current expenses	1,200	
Travel:		
In state	2,300	
Out of state	500	
	<hr/>	
Total†	\$35,000	
Less estimated federal funds†	35,000	
	<hr/>	

Net appropriation 0

†If the federal grant is less than the estimate shown herein, the total appropriation shall be reduced in like proportion.

Vaccination grant:		
Personal services:		
Other	\$17,000	
Current expenses	11,700	
Travel:		
In state	3,600	
Out of state	2,000	
Other expenditures	2,700	
	<hr/>	
Total†	\$37,000	
Less estimated federal funds†	37,000	
	<hr/>	

Net appropriation 0

†If the federal grant is less than the estimate shown herein, the total appropriation shall be reduced in like proportion.

Hospital construction†	\$1,250,000	
Less estimated federal funds†	1,250,000	
	<hr/>	

Net appropriation 0

†If the federal grant is less than the estimate shown herein, the total appropriation shall be reduced in like proportion.

Net appropriation for division of  
public health 933,492

## Sanatorium:

## Administration:

Salary of superintendent	\$15,151
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## Other personal services:

Permanent	17,600
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Total	\$32,751
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Current expenses	2,600
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## Travel:

In state	580
----------	-----

Out of state	945
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Total	\$36,876
-------	----------

## Professional care:

## Personal services:

Permanent	\$158,948
-----------	-----------

Other	6,000
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Total	\$164,948
-------	-----------

Current expenses	17,000
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Total	181,948
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## Custodial care:

## Personal services:

Permanent	\$82,525
-----------	----------

Other	2,200
-------	-------

Total	\$84,725
-------	----------

Current expenses	28,350
------------------	--------

Equipment	375
-----------	-----

Total	113,450
-------	---------

## Operation of plant:

## Personal services:

Permanent	\$65,407
-----------	----------

Other	400
-------	-----

Total	\$65,807
-------	----------

Current expenses	22,000
------------------	--------

Equipment	650
-----------	-----

Total	88,457
-------	--------

## Maintenance of plant:

## Personal services:

Permanent	\$7,421
-----------	---------

Current expenses	8,000	
Other expenditures	8,600	
	<hr/>	
Total		24,021
		<hr/>
Total for sanatorium		\$444,752
Less refunds (maintenance)		7,000
Less proceeds from sale of livestock and equipment		11,750
		<hr/>
Net appropriation		426,002
		<hr/>
Total for division of public health services		1,672,358
Division of public welfare:		
Administration:		
Salary of director	\$13,620	
Other personal services:		
Permanent	269,789	
Other	51,390	
	<hr/>	
Total	\$334,799	
Current expenses	32,840	
Travel:		
In state	8,100	
Out of state	3,228	
Equipment	900	
Other expenditures:		
Social security	67,000	
Blue cross and insurance	8,000	
Merit system	5,224	
Educational leave	15,000	
Employees retirement	78,023	
Physical examinations	1,000	
Operational costs (title XIX)	115,160	
	<hr/>	
Total		669,274
Field service:		
Personal services:		
Permanent	\$1,070,008	
Other	1,000	
	<hr/>	
Total	\$1,071,008	
Current expenses*	125,000	

Travel:	
In state	45,000
Out of state	500
Equipment	12,000

1,253,508

\* Within this appropriation \$40,000 shall be for rent and shall not be transferred or used for any other purpose.

Blind services:

Personal services:	
Permanent	\$25,724
Current expenses	1,000
Travel:	
In state	2,800
Out of state	375
Other expenditures:	
Education of blind	75,000

104,899

Child welfare services:

Personal services:	
Permanent	\$539,236
Other	6,950
Total	\$546,186

Travel:	
In state	53,000
Out of state	5,000
Equipment	2,120
Other expenditures:	
Educational leave	15,000
Institute and conferences	750
Specialized services	700
Special children's fund	11,000
Foster care	4,500

\$638,256

215,408

422,848

Personal services:	
Permanent	\$39,810
Current expenses	2,000

Travel:		
In state	3,100	
Out of state	535	
Other expenditures:		
Case services	22,000	
Business enterprises	10,000	
In service training	1,700	
Disability insurance beneficiaries	10,000	
	<hr/>	
Total	\$89,145	
Less estimated federal funds	71,038	
	<hr/>	
Net appropriation		18,107
Workshop demonstration project:		
Personal services:		
Permanent	\$28,078	
Current expenses	5,700	
Travel:		
In state	1,450	
Out of state	350	
Equipment	1,000	
Other expenses:		
Oasi and retirement	2,600	
Blue cross	200	
	<hr/>	
Total		39,378
John Nesmith fund		37,000
Old age assistance:		
State's share	\$916,742	
Less estimated revenue	100,000	
	<hr/>	
Net appropriation		816,742
Towns and counties:	\$1,361,269	
Less estimated revenue	1,361,269	
	<hr/>	
Net appropriation		0
Federal:	\$3,167,066	
Less estimated revenue	3,167,066	
	<hr/>	
Net appropriation		0

Old age assistance to aliens:		
Towns and counties:	\$210,259	
Less estimated revenue	290,259	
	<hr/>	
Net appropriation		-80,000
Federal:		
Less estimated revenue	\$295,478	
	295,478	
	<hr/>	
Net appropriation		0
Aid to dependent children:		
State's share	\$1,358,992	
Less estimated revenue	150,000	
	<hr/>	
Net appropriation		1,208,992
Federal		
Less estimated revenue	\$1,910,262	
	1,910,262	
	<hr/>	
Net appropriation		0
Aid to needy blind:		
State's share	\$171,776	
Less estimated revenue	2,600	
	<hr/>	
Net appropriation		169,176
Federal		
Less estimated revenue	\$243,425	
	243,425	
	<hr/>	
Net appropriation		0
Aid to permanently and totally disabled:		
State's share	\$67,767	
Less estimated recoveries	6,500	
	<hr/>	
Net appropriation		61,267
Towns and counties*		
Less estimated revenue	\$381,736	
	381,736	
	<hr/>	
Net appropriation		0
Federal		
Less estimated revenue	\$641,171	
	641,171	
	<hr/>	
Net appropriation		0



Medical care and services:		
Categorically needy	\$2,823,327	
Medically needy	1,504,168	
	<hr/>	
Total	\$4,327,495	
Less local share	362,535	
Less federal share	2,601,691	
	<hr/>	
Net appropriation		1,363,269
		<hr/>
Total for division of welfare		\$6,051,160
Less town and county share		
of oasi administration	\$10,000	
Less transfer re administration		
from federal grants	1,158,766	1,168,766
	<hr/>	<hr/>
Net appropriation for		
division of welfare		4,882,394

\* For the fiscal year ending June 30, 1969 the share which a county or town must reimburse the state for aid to totally and permanently disabled persons for which such county or town is liable shall be thirty-five percent. Provisions of the law inconsistent with the provision hereof are hereby suspended until June 30, 1969.

Division of mental health:	
Office of director:	
Salary of director	\$27,375
Other personal services:	
Permanent	23,343
	<hr/>
Total	\$50,718
Current expenses	4,500
Travel:	
In state	900
Out of state	1,250
Equipment	1,750
Other expenditures:	
Grants to community mental	
health services†	600,000
	<hr/>
Total for office of director	\$659,118

†These funds shall be expended for no other purpose, shall be non-lapsing in the first year of the biennium, and if sufficient funds are not available for both years of the biennium for full implementation, these funds shall be prorated.

## Laconia state school:

## Administration:

Salary of superintendent	\$16,620
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Salary of deputy superintendent	18,060
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## Other personal services:

Permanent	75,647
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Other	1,000
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Total	\$111,327
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Current expenses	3,000
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## Travel:

In state	750
----------	-----

Out of state	500
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Total	\$115,577
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## Professional care and treatment:

## Personal services:

Permanent	\$1,200,844
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Other	13,000
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Total	\$1,213,844
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Current expenses	30,000
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## Travel:

In state	50
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Equipment	3,000
-----------	-------

Total	1,246,894
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## Custodial care:

## Personal services:

Permanent	\$262,954
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Other	2,000
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Total	\$264,954
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Current expenses	64,325
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Purchases from institution's farm†	82,500
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Purchases of food††	115,000
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Total current expenses	\$261,825
------------------------	-----------

## Travel:

In state	100
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Equipment	1,500
-----------	-------

Total	528,379
-------	---------

†In this appropriation \$82,500 shall be for products used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose. The institution's farm shall receive credit for all products used even though in excess of \$82,500.

††Shall not be transferred or used for any other purpose.

Operation of plant:

Personal services:

Permanent \$78,245

Current expenses 97,420

Other expenditures:

Lumber\* 2,000

Total	177,665
-------	---------

\*This appropriation of \$2,000 shall be for lumber used from the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purposes. The institution's farm shall receive credit for all lumber used even though in excess of \$2,000.

Maintenance of plant:

Personal services:

Permanent \$50,246

Current expenses 20,000

Equipment 1,050

Other expenditures:

Care of grounds\* 14,500

Special maintenance projects 15,800

Total	101,596
-------	---------

\* The institution's farm shall receive credit for all supplies, work and services rendered even though in excess of \$14,500. No part of this appropriation shall be transferred or used for any other purpose.

Agriculture:

Personal services:

Permanent \$69,238

Other 1,250

Total	\$70,488
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Current expenses 46,785

Travel:

In state 25

Equipment 3,500

Total	\$120,798
-------	-----------

Less credit transfers	99,000	
Less estimated revenue	6,000	
	<hr/>	
Net appropriation		15,798
Training and education:		
Personal services:		
Permanent	\$268,978	
Other	7,000	
	<hr/>	
Total	\$275,978	
Current expenses	9,000	
Travel:		
In state	1,000	
Equipment	2,000	
Other expenditures:		
Working incentive program	2,500	
	<hr/>	
Total		290,478
In service training:		
Personal services:		
Other	\$18,500	
Current expenses	1,000	
Travel:		
In state	200	
Out of state	300	
Equipment	500	
Other expenditures	1,500	
	<hr/>	
Total	\$22,000	
Less estimated federal funds†	22,000	
	<hr/>	
Net appropriation		0

†If the federal grant received is less than the estimate, expenditures shall be correspondingly reduced.

Hospital improvement:		
Personal services:		
Other	\$66,576	
Current expenses	6,474	
Travel:		
In state	900	
Equipment	3,822	
	<hr/>	
Total	\$77,772	

Less estimated federal funds*	77,772	
	<hr/>	

Net appropriation		0
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\*If the federal grant received is less than the estimate shown, expenditures shall be correspondingly reduced.

Total for Laconia state school	\$2,476,387	
Less refunds (maintenance)	17,500	
	<hr/>	

Net appropriation		2,458,887
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New Hampshire hospital:

Administration:

Salary of superintendent	\$25,397
Salary of assistant superintendent	18,320
Other personal services:	
Permanent	141,589
Other	1,000
	<hr/>

Total	\$186,306
Current expenses	36,000

Travel:

In state	200
Out of state	1,000
Equipment	1,055
	<hr/>

Total	\$224,561
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Research:

Other expenditures	38,000
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Professional care and treatment:

Personal services:

Unclassified	\$318,502
Permanent	3,477,255
Other	140,386
	<hr/>

Total	\$3,936,143
Current expenses†	64,319

Drugs:

Outpatients*	18,000
Inpatients	140,000
	<hr/>

Total current expenses	\$222,319
	<hr/>

Travel:	
In state	4,000
Out of state	5,518
Equipment	20,000
	<hr/>
Total	4,187,980

†No charge against this appropriation or any other appropriation of the New Hampshire hospital shall be made for nurses uniforms. This appropriation includes \$1,500 for printing a brochure for the school of nursing which shall not be transferred or expended for any other purpose.

\*Payment ability for reimbursement to the state shall be the responsibility of the division of investigation of accounts.

Custodial care:	
Personal services:	
Permanent	\$807,851
Other	15,000
	<hr/>
Total	\$822,851
Current expenses†	735,400
Travel:	
In state	25
Equipment	20,000
	<hr/>
Total	1,578,276

†In this appropriation \$140,400 shall be for products used for the institution's farm. No part of this amount shall be transferred to any other appropriation or expended for any other purpose. The institution's farm shall receive credit for all products used even though in excess of \$140,400.

Operation of plant:	
Personal services:	
Permanent	\$252,547
Other	13,000
	<hr/>
Total	\$265,547
Current expenses	240,000
Travel:	
In state	20
Equipment	11,350
	<hr/>
Total	516,917

Maintenance of plant:	
Personal services:	
Permanent	\$291,399

Other	350
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Total	\$291,749
Current expenses	68,697
Equipment	2,792
Other expenditures:	
Contractual repairs†	17,250

Total	380,488
-------	---------

†No part of this appropriation shall be transferred or expended for any other purpose.

Agriculture:

Personal services:

Permanent	\$79,153
Other	8,000

Total	\$87,153
Current expenses	50,000
Travel:	
In state	25
Equipment	5,700

Total	\$142,878
Less credit transfers	140,400
Less estimated revenue	4,200

Net reduction	—1,722
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Pathology laboratory:

Personal services:

Permanent	\$16,283
Other	15,100

Total	\$31,383
Current expenses	750
Equipment	501

Total	32,634
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Federal funds:

Personal services:

Permanent	\$66,770
Other	36,123

Total	\$102,893
Current expenses	5,550

Travel:		
In state	300	
Out of state	1,750	
Equipment	700	
Other expenditures	30,108	
Total	\$141,301	
Less estimated federal funds	141,301	
Net appropriation		0
Total for New Hampshire hospital	\$6,957,134	
Less refunds (maintenance)	63,500	
Net appropriations		6,893,634

Note: Appropriations for current expenses and equipment shall not be transferred or expended for any other purpose.

Child guidance clinics:

State funds:

Personal services:

Permanent	\$90,570
Other	1,500

Total	\$92,070
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Current expenses	5,500
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Travel:

In state	350
----------	-----

Other expenditures:

Training program	4,500
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Total	\$102,420
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Federal funds:

Personal services:

Permanent	\$38,839
Other	5,500

Total	\$44,339
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Current expenses	1,000
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Travel:

Out of state	2,000
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Equipment	425
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Other expenditures:

Oasi and retirement	2,000
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Consultants	4,000
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Merit system	339	
Grants to communities†	10,897	
		<hr/>
Total*	\$65,000	
Less estimated federal funds*	65,000	
		<hr/>
Net appropriation		0
		<hr/>
Total for child guidance clinics		102,420

†If eligible communities fail to qualify for grants under this appropriation, said appropriation may be spent for other purposes of the child guidance clinics with approval of the governor and council.

\*This amount available for expenditure only if funds are available as a federal grant.

Total for division of mental health	\$10,114,059
	<hr/>
Total for department of health and welfare	\$16,668,811
	<hr/> <hr/>

Note: If under the department of health and welfare any grant received is less than estimated, the total appropriation shall be reduced by the amount of reduction in federal estimates and the applicable state matching funds.

For barbers board:		
Personal services:		
Other	\$1,870	
Current expenses	700	
Travel:		
In state	1,500	
Out of state	350	
Other expenditures:		
Transfer to board of hairdressers for salary of clerk IV and temporary clerk typist I	2,500	
		<hr/>
Total for barbers board		\$6,920
		<hr/> <hr/>

For cancer commission:		
State funds:		
Personal services:		
Permanent	\$14,416	
Other	20,850	
		<hr/>
Total	\$35,266	

Current expenses	161,869	
Travel:		
In state	700	
	<hr/>	
Total		\$197,835
Federal funds		
Personal services:		
Permanent	\$8,626	
Other expenditures:		
Cancer registries and other cancer control activities	16,374	
	<hr/>	
Total	\$25,000	
Less estimated federal funds	25,000	
	<hr/>	
Net appropriation		0
		<hr/>
Total for cancer commission		\$197,835
		<hr/> <hr/>

\*This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended for said purposes with approval of the governor and council.

For dental board:		
Personal services:		
Other	\$1,030	
Current expenses	400	
Travel:		
In state	150	
Out of state	700	
	<hr/>	
Total for dental board		\$2,280
		<hr/> <hr/>

For board of registration of funeral directors and embalmers:		
Personal services:		
Other	\$735	
Current expenses	600	
Travel:		
In state	400	
Out of state	400	

Other expenditures:		
Training and examinations	350	
	<hr/>	
Total for board of registration of funeral directors and embalmers		\$2,485
		<hr/> <hr/>
For board of hairdressers:		
Personal services:		
Permanent	\$11,301	
Other	2,919	
	<hr/>	
Total	\$14,220	
Current expenses	1,500	
Travel:		
In state	2,700	
Out of state	350	
Other expenditures:		
Teachers seminar	500	
	<hr/>	
Total	\$19,270	
Less transfer from barbers board	2,500	
	<hr/>	
Net appropriation for board of hairdressers		\$16,770
		<hr/> <hr/>
For board of registration in medicine:		
Personal services:		
Other	\$1,520	
Current expenses	1,800	
Travel:		
In state	300	
Out of state	300	
	<hr/>	
Total for board of registration in medicine		\$3,920
		<hr/> <hr/>
For pharmacy commission:		
Personal services:		
Other	\$6,625	
Current expenses	1,025	
Travel:		
In state	1,200	
Out of state	500	
	<hr/>	
Total for pharmacy commission		\$9,350
		<hr/> <hr/>

## For board of registration in podiatry:

## Personal services:

Other \$210

Current expenses 50

## Travel:

In state 50

Total for board of registration in podiatry	<u>50</u>	<u>\$310</u>
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## For veterans council:

Salary of director \$9,620

## Other personal services:

Permanent 15,021

Total	<u>\$24,641</u>
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Current expenses 990

## Travel:

In state 1,665

Out of state 150

Equipment 1,200

## Other expenditures:

Veterans burials 4,000

Total	<u>\$32,646</u>
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Less estimated refunds 500

Net appropriation for veterans council	<u><u>\$32,146</u></u>
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## For insurance department:

## Office of commissioner:

Salary of commissioner \$15,181

Salary of deputy commissioner 12,300

Salary of assistant to commissioner 9,750

## Other personal services:

Permanent 70,198

Other\* 2,000

Total	<u>\$109,429</u>
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Current expenses 9,764

## Travel:

In state 100

Out of state 1,250

Equipment 650

Total	<u>650</u>	<u>\$121,193</u>
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\*Not to be transferred or used for any other purpose than for actuarial services.

Rating division:

Personal services:

Permanent	\$19,874
Current expenses	1,400

Travel:

In state	50
Out of state	500
Equipment	95

Other expenditures:

Consulting services:	
Variable annuities	400

Total	<hr/>	22,319
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Real estate division:

Personal services:

Permanent	\$15,010
Other — per diem	2,500

Total	\$17,510
Current expenses	7,650

Travel:

In state	100
Out of state	680
Equipment	355

Total	<hr/>	26,295
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Total for insurance department	<hr/> <hr/>	\$169,807
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For department of labor:

Office of commissioner:

Salary of commissioner	\$12,500
Salary of deputy commissioner	8,600

Other personal services:

Permanent	16,097
Other	1,770

Total	\$38,967
Current expenses	8,021

Travel:		
In state	600	
Out of state	1,000	
	<hr/>	
Total		48,588
Inspection division:		
Personal services:		
Permanent	\$57,608	
Current expenses	1,400	
Travel.		
In state	8,800	
Equipment	1,735	
	<hr/>	
Total		69,543
Workmen's compensation division:		
Personal services:		
Permanent	\$38,353	
Current expenses	2,800	
Equipment	240	
	<hr/>	
Total		41,393
Division of labor statistics:		
Personal services:		
Permanent	\$19,901	
Current expenses	6,352	
	<hr/>	
Total		26,253
New Hampshire apprenticeship council:		
Other expenditures:		
Apprenticeship council		350
		<hr/>
Total for department of labor		\$186,127
		<hr/> <hr/>
For personnel department:		
Salary of director	\$13,676	
Salary of deputy director	11,229	
Other personal services:		
Permanent	91,399	
Other	1,550	
	<hr/>	
Total	\$117,854	
Current expenses	7,000	

Travel:		
In state	1,500	
Out of state	600	
Equipment	935	
Other expenditures:		
Oasi and retirement	720	
Blue cross and insurance	47	
	<hr/>	
Total	\$128,656	
Less estimated revenue†	1,000	
Less estimated federal funds	15,382	
	<hr/>	
Net appropriation for personnel department		\$112,274

†Revenue in excess of the estimate resulting from municipal examinations may be expended with prior approval of the governor and council.

For resources and economic development:

Office of commissioner:

Administration, warehouse and graphic arts:

    Salary of commissioner \$15,300

Other personal services:

    Permanent 184,127

    Other 8,400

        Total \$207,827

Current expenses 18,820

Travel:

    In state 2,000

    Out of state 900

Equipment 3,470

        Total \$233,017

Design development and maintenance:

Personal services:

    Permanent \$92,197

    Other 2,940

        Total \$95,137

Current expenses 5,385

Travel:

    In state 1,500

    Out of state 150

        Total \$102,172

Less maintenance refunds	410	
	<hr/>	
Net appropriation		101,762
Community recreation service:		
Personal services:		
Permanent	\$12,872	
Current expenses	965	
Travel:		
In state	1,115	
Out of state	300	
	<hr/>	
Total		15,252
		<hr/>
Total for office of commissioner		\$350,031
		<hr/> <hr/>
Division of resources development:		
Salary of director	\$13,621	
Personal services:		
Permanent	299,729	
Other†	39,819	
	<hr/>	
Total	\$353,169	
Current expenses	26,500	
Travel:		
In state	17,820	
Out of state	900	
Equipment	22,200	
Other expenditures:		
State's share of town warden training expenses	3,000	
State's share of town prevention bills	2,200	
Plant maintenance — repairs to machines and equipment	4,075	
Repairs to buildings	3,300	
	<hr/>	
Total	\$433,164	
Less revenue:		
Clarke-McNary law — sections 2 and 4	106,000	
Forest pest and disease	15,000	
White pine blister rust	26,000	
Nursery seed orchard — title IV	10,000	
Other revenue	2,976	
	<hr/>	
Net appropriation		\$273,188



†In this appropriation \$26,000 shall be the state's share of the county forestry program.

Forest improvement fund:

Personal services:

Permanent	\$42,651
Other	17,235

Total	\$59,886
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Current expenses	2,000
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Travel:

In state	2,900
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Out of state	75
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Equipment	1,500
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Other expenditures:

Silviculture	3,280
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Total	69,641
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Caroline A. Fox research fund:

Personal services:

Permanent	\$6,435
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Other	7,030
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Total	\$13,465
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Current expenses	4,361
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Travel:

In state	710
----------	-----

Out of state	210
--------------	-----

Equipment	60
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Total	\$18,806
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Less revenue and balance	18,806
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Net appropriation	0
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Total for division of resources development	\$342,829
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Division of economic development:

Administration:

Salary of director	\$13,500
--------------------	----------

Other personal services:

Permanent	15,506
-----------	--------

Other	2,400
-------	-------

Total	\$31,406
-------	----------

Current expenses	40,800
------------------	--------

Travel:		
In state		1,250
Out of state		1,500
Other expenditures:		
Regional associations*		35,000
Eastern states exposition		8,000
		<hr/>
Total		\$117,956

\*This appropriation shall be equally divided between the six regional associations.

Industrial development:		
Salaries of three senior industrial agents	\$29,607	
Other personal services:		
Permanent	71,256	
	<hr/>	
Total	\$100,863	
Current expenses	13,000	
Travel:		
In state	8,000	
Out of state	10,500	
	<hr/>	
Total		132,363
Planning and research:		
Personal services:		
Permanent	\$98,067	
Current expenses	2,350	
Travel:		
In state	2,500	
Out of state	1,200	
Equipment	410	
Other expenditures:		
State and regional planning	8,200	
	<hr/>	
Total		112,727
State geology:		
Personal services:		
Other	\$2,200	
Current expenses	3,500	
Travel:		
In state	150	
Out of state	200	

Other expenditures:		
Geologic mapping	15,000	
Geology booklets	2,800	
	<hr/>	
Total		23,850

## Vacation travel promotion:

Personal services:		
Permanent	\$69,643	
Travel:		
In state	2,500	
Out of state	4,000	
Equipment	260	
Other expenditures:		
Printing and binding	75,000	
Advertising†	175,000	
Visitors' center	3,000	
Montreal office	25,000	
Boston office	14,500	
New York office	11,500	
Bulletin of vacation inquiries	1,600	
Cooperative promotion, New England	25,000	
	<hr/>	
Total		407,003

Total for division of economic development 793,899

†Legislative intent is that these funds may be used for in-state co-operative promotion with governor and council approval.

## Urban planning assistance:

Personal services:		
Other	\$301,320	
Current expenses	5,270	
Travel:		
In state	3,410	
Other expenditures	2,000	
	<hr/>	
Total	\$312,000	
Less revenue and balance*	310,000†	

Net appropriation 2,000

\*Any state earned income shall be deposited to the general fund.

†Revenue in excess of \$305,000 may be expended subject to prior approval by the governor and council.

## Division of parks:

## Administration:

Salary of director	\$13,800	
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## Other personal services:

Permanent	26,977	
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Other	3,000	
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Total	\$43,777	
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Current expenses	5,000	
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## Travel:

In state	2,000	
----------	-------	--

Out of state	500	
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Equipment	2,310	
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## Other expenditures:

Park promotion	60,000	
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Total		\$113,587
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## Self-supporting parks:

## Personal services:

Permanent	\$422,734	
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Other	170,000	
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Total	\$592,734	
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Current expenses*	147,000	
-------------------	---------	--

## Travel:

In state	710	
----------	-----	--

Out of state	350	
--------------	-----	--

Equipment	25,000	
-----------	--------	--

## Other expenditures:

Major repairs†	40,000	
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Snow making††	30,680	
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Total		836,474
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\*This appropriation includes \$28,000 for insurance which shall not be transferred or expended for any other purpose.

†No part of this appropriation shall be transferred or expended for any other purpose. Travel expenses incidental to Major repair projects may be considered as a proper charge against this appropriation.

††This appropriation shall not be transferred or expended for any other purpose; authorized expenditures may include personal services and current expenses.

## Service parks:

## Personal services:

Permanent	\$82,823
Other	356,228

---

Total \$439,051

Current expenses 110,000

## Travel:

In state 2,500

Equipment 35,000

## Other expenditures:

Major repairs† 40,000

---

Total 626,551

†No part of this appropriation shall be transferred or expended for any other purpose. Travel expenses incidental to Major repair projects may be considered as a proper charge against this appropriation.

## Bonds and interest:†

## Chapter 337, Laws of 1955

Issue of 1959 \$30,802

## Chapter 293, Laws of 1957

Issue of 1959 32,231

## Chapter 297, Laws of 1959

Issue of 1961 10,700

## Chapter 264, Laws of 1961

Issue of 1963 45,200

## Chapter 263, Laws of 1961

Issue of 1963 284,000

Issue of 1965 312,000

Estimate re issue of 1968 45,000

---

Total bonds and interest 759,933

†This appropriation shall not be transferred or expended for any other purpose.

Oasi, retirement and blue cross 26,310

Injured employees 2,500

---

Total \$2,365,355

Less revenue 1,795,019

---

Net appropriation for division of parks 570,336

Note 1: Any balance in the recreation fund at June 30, 1968, shall be carried forward and applied to reduce the fiscal 1969 general fund appropriation for division of parks.

## Hampton special services:

## Personal services:

Other \$22,368

Current expenses 2,490

## Travel:

In state 50

Equipment 1,000

Total for Hampton special services

25,908

## Hampton beach parking facility:

## Personal services:

Other \$11,100

Current expenses 6,000

## Travel:

In state 100

Equipment 550

## Other expenditures:

Hampton sea wall bonds and interest 84,738

Total

\$102,488

Less estimated revenue

47,000

Net appropriation for Hampton beach  
parking facility

55,488

Total for department of resources and  
economic development

\$2,140,491

## For industrial park authority:†

## Personal services:

Permanent \$16,630

Other expenditures 5,311

Total

\$21,941

†Authority is hereby given to utilize so much as may be necessary of any surplus accumulated during fiscal 1968 within the agency without the use of any other state funds, as may be specifically approved by the Governor and Council.

## For New Hampshire state port authority:

## Personal services:

Permanent \$15,410

Other*	4,400
Total	\$19,810
Current expenses†	10,000
Travel:	
In state	1,100
Out of state	1,000
Other expenditures:	
Reimbursement of harbor masters	1,500
Operation of terminal††	8,000
Total for New Hampshire state port authority	\$41,410

\*In this appropriation \$4,000 is for harbor masters and no part of this amount shall be transferred or expended for any other purpose.

†In this appropriation \$5,000 is for advertising and promotion, and no part of this amount shall be transferred or expended for any other purpose.

††No part of this appropriation shall be transferred or expended for any other purpose.

For department of safety:

Office of commissioner:

Salary of commissioner \$16,500

Other personal services:

    Permanent 71,454

    Other 1,000

Total \$88,954

Current expenses 6,400

Travel:

    In state 1,100

    Out of state 900

Other expenditures:

    Oasi and retirement 7,900

    Blue cross and insurance 1,175

Total \$106,429

Data processing section:

Personal services:

    Permanent \$29,980

Current expenses 60,000

Travel:

    Out of state 100

Other expenditures:		
Oasi and retirement	3,430	
Blue cross and insurance	570	
	<hr/>	
Total		94,080
		<hr/>
Total for office of commissioner		\$200,509
Less transfer from highway fund		191,309
		<hr/>
Net appropriation for office of commissioner		\$ 9,200
Initial plate fund:*		
Personal services:		
Permanent	\$15,008	
Current expenses	10,275	
Travel:		
In state	1,500	
Out of state	500	
Other expenditures:		
Oasi and retirement	1,205	
Blue cross and insurance	150	
Driver assistance	125,000	
Police training school	4,000	
	<hr/>	
Total	\$157,638	
Less estimated revenue	157,638	
	<hr/>	
Net appropriation		0

\*Other provisions of law notwithstanding, all expenditures from the initial plates and driver training funds shall be subject to budgeting limitations, and any balances in these funds shall not lapse.

#### Division of state police:

##### Traffic bureau:

Salary of director	\$13,500
Other personal services:	

Permanent	1,074,344
Other	2,000

Total	<hr/> \$1,089,844
Current expenses	100,000

##### Travel:

In state	202,100
Out of state	1,500



Equipment	128,000
Other expenditures:	
Oasi and retirement	65,695
Blue cross and insurance	7,610
Training	3,800
Auxiliary police	7,500

Total	<u>\$1,606,049</u>
Les estimated revenue	50,250
Less transfer from turnpikes	146,143
Less transfer from highway fund	<u>1,409,656</u>

Net appropriation \$ 0

Detective bureau:	
Personal services:	
Permanent	\$102,022
Current expenses	14,150
Travel:	
In state	6,600
Out of state	500
Equipment	2,000
Other expenditures:	
Oasi and retirement	6,290
Blue cross and insurance	725

Total 132,287

Communications section:	
Personal services:	
Permanent	\$71,497
Current expenses	17,200
Travel:	
In state	4,550
Equipment	7,200
Other expenditures:	
Oasi and retirement	5,200
Blue cross and insurance	775
Training	500
Total	<u>\$106,922</u>

Less transfer from highway fund	90,134	
Net appropriation		16,788
Total—division of state police		\$149,075
Less estimated revenue		750
Net appropriation		148,325
Division of motor vehicles:		
Administration:		
Salary of director	\$11,215	
Other personal services:		
Permanent	245,099	
Other	35,000	
Total	\$291,314	
Current expenses	246,600	
Travel:		
In state	400	
Out of state	450	
Equipment	6,050	
Other expenditures:		
Oasi and retirement	21,100	
Blue cross and insurance	2,700	
Total		\$568,614
Road toll section:		
Personal services:		
Permanent	\$56,547	
Current expenses	985	
Travel:		
In state	2,100	
Out of state	3,200	
Equipment	2,450	
Other expenditures:		
Oasi and retirement	4,825	
Blue cross and insurance	600	
Total		70,707
Total for division of motor vehicles		\$639,321
Less transfer from highway fund		\$639,321
Net appropriation		

Note: Motor vehicle registration revenue and license revenue in excess of estimates may be expended upon prior approval of the governor and council for costs related to increased motor vehicle registrations and increased licenses respectively.

Division of safety services:

Salary of director	\$9,624
Salary of fire marshal	10,680
Other personal services:	
Permanent	151,797
Other	75,000

---

Total	\$247,101
Current expenses	73,225

Travel:

In state	51,850
Out of state	1,350
Equipment	19,850

Other expenditures:

Oasi and retirement	16,750
Blue cross and insurance	1,320
Civil defense and rescue training center:	
Schools and training	500

---

Total for safety services	\$411,946
Less transfer from highway fund	142,593

---

Net appropriation	269,353
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Tramway board:

Personal services:	
Permanent	\$8,408
Current expenses	970

Travel:

In state	760
Out of state	210

Other expenditures:

Oasi and retirement	650
Blue cross and insurance	60

---

Total for tramway board	11,058
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Total for department of safety	\$437,936
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## For state coordinator of highway safety:

## Personal services:

Permanent	\$ 16,628
Other	500

---

Total	\$ 17,128
-------	-----------

Current expenses	6,193
------------------	-------

## Travel:

In state	1,000
Out of state	800

## Other expenditures:

Professional fees	500
Oasi and retirement	1,064
Blue cross and insurance	150

---

Total	\$ 26,835
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Less transfer from highway fund	26,835
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Net appropriation	0
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## For secretary of state:

## Office of secretary:

Salary of secretary	\$15,000
Salary of deputy secretary	12,125

## Other personal services:

Permanent	49,204
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Total	\$76,329
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Current expenses	8,755
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## Travel:

In state	125
Out of state	400

Equipment	475
-----------	-----

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Total	\$86,084
-------	----------

## Elections division:

## Personal services:

Other	\$6,500
Current expenses	6,000

## Travel:

In state	75
----------	----

Other expenditures:		
Printing, binding and supplies	25,000	
	<hr/>	
Total		37,575
Xerox division:		
Personal services:		
Permanent	\$4,280	
Other	400	
	<hr/>	
Total	\$4,680	
Current expenses	8,000	
	<hr/>	
Total	\$12,680	
Less estimated revenue (Xerox services)	6,000	
	<hr/>	
Net appropriation		6,680
Other expenditures:		
Trading stamps	\$1,300	
Auctioneers	2,000	
	<hr/>	
Total		3,300
		<hr/>
Total for secretary of state		\$133,639
		<hr/> <hr/>
For board of accountancy:		
Personal services:		
Other	\$1,175	
Current expenses	1,000	
Travel:		
In state	50	
	<hr/>	
Total for board of accountancy		\$2,225
		<hr/> <hr/>
For board of registration for architects:		
Personal services:		
Other	\$2,000	
Current expenses	750	
Travel:		
In state	400	
Out of state	500	
	<hr/>	
Total for board of registration for architects		\$3,650
		<hr/> <hr/>

## For state athletic commission:\*

## Personal services:

Other	\$450
-------	-------

Current expenses	75
------------------	----

## Travel:

In state	250
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Total for state athletic commission	
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\$775
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\*The provisions of RSA 285:2 are hereby suspended for the fiscal year ending June 30, 1969. During fiscal year 1969, the chairman-secretary shall receive ten dollars a day when engaged in the performance of his duties under the provisions of this chapter, together with his actual traveling and other necessary expenses. The other two commissioners shall receive ten dollars a day, travel and other necessary expenses incurred when engaged in the actual performance of their duties at the call of the chairman.

## For board of chiropractic examiners:

## Personal services:

Other	\$2,300
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Current expenses	500
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## Travel:

In state	700
----------	-----

Out of state	400
--------------	-----

Total for board of chiropractic examiners	
---	--

\$3,900
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## For board of professional engineers:

## Personal services:

Other	\$3,500
-------	---------

Current expenses	2,000
------------------	-------

## Travel:

In state	150
----------	-----

Out of state	350
--------------	-----

Equipment	90
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Total for board of professional engineers	
---	--

\$6,090
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## For board of registration in optometry:

## Personal services:

Other	\$400
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Current expenses	355
------------------	-----

Travel:		
In state	180	
Out of state	245	
	<hr/>	
Total for board of registration in optometry		\$1,180
		<hr/> <hr/>

For board of psychologists:		
Personal services:		
Other	\$30	
Current expenses	230	
Travel:		
In state	80	
Out of state	60	
	<hr/>	
Total for board of psychologists		\$400
		<hr/> <hr/>

For state library:		
Administration:		
Salary of librarian	\$12,060	
Salary of assistant librarian	10,142	
Other personal services:		
Permanent	162,451	
Other	3,625	
	<hr/>	
Total	\$188,278	
Current expenses	15,725	
Travel:		
In state	400	
Out of state	400	
Equipment	48,080	
	<hr/>	
Total		\$252,883
Extension:		
Current expenses	\$8,950	
Travel:		
In state	3,350	
Out of state	100	
Equipment	17,480	
	<hr/>	
Total		29,880

## State aid:

Grants-in-aid to libraries

35,500

## Library services and construction act:

## Title I:

## Personal services:

Permanent

\$119,246

Other

5,350

Total

\$124,596

Current expenses

16,520

## Travel:

In state

2,150

Out of state

1,200

Equipment\*

32,960

## Other expenditures:

Public relations

16,000

Social security

9,863

Training and scholarships

2,780

Total

\$206,069

Less estimated federal funds

206,069

Net appropriation

0

\*In this appropriation \$28,000 is for books.

## Title II:

## Other expenditures:

Construction, additions and remodeling

\$199,453

Less estimated federal funds

199,453

Net appropriation

0

Total for state library

\$318,263

## For state treasury:

## Administration:

Salary of treasurer

\$14,797

Salary of deputy treasurer

11,786

## Other personal services:

Permanent

111,883

Other

2,500

Total

\$140,966

Current expenses

25,150



Travel:		
In state	100	
Out of state	750	
Equipment	610	
	<hr/>	
Total		\$167,576
Trust funds:		
Agricultural college fund	\$4,800	
Hamilton Smith fund	400	
Benjamin Thompson fund	31,896	
	<hr/>	
Total		37,096
Expense re head tax		150
Bounties—payments to cities and towns**		1,000
Retirement division:		
Assistant state treasurer	\$9,600	
Other personal services:		
Permanent	52,083	
Other†	9,300	
	<hr/>	
Total	\$70,983	
Current expenses	5,412	
Travel:		
In state	1,475	
Out of state	200	
Equipment	1,235	
Other expenditures:*		
Consulting services	500	
Investment counsel	18,000	
Consulting actuary	22,000	
Normal Contributions:		
Teachers	735,000	
Employees	442,188	
Firemen	62,000	
Policemen	78,000	
Accrued liability:		
Teachers	384,000	
Employees	310,000	
Firemen	368,000	
Policemen	316,000	
Hospitalization and group life insurance	152,000	
	<hr/>	
Total	\$2,966,993	

Less:

Administrative costs charged to political subdivisions	15,000	
Reimbursement of group life and hospitalization from federal and self-sustaining departments	26,000	
		<hr/>
Net appropriation		2,925,993
		<hr/>
Total for state treasury		\$3,131,815
Less transfer from highway fund		22,453
		<hr/>
Net appropriation for state treasury		<u>\$3,109,362</u>

†Appropriations for part-time secretaries shall only be available as long as present incumbents are employed.

\*None of the individual amounts appropriated under other expenditures shall be transferred or expended for other than the stated purpose.

\*\*This appropriation shall be a continuing appropriation and shall not lapse.

Note: Other provisions of law notwithstanding the employees of the New Hampshire retirement system established by the Laws of 1967 are hereby assigned to the retirement division of the office of the state treasury.

For industrial school:

Administration:

Salary of superintendent	\$15,000
Salary of deputy superintendent†	9,560

Other personal services:

Permanent	31,463
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Total	\$56,023
Current expenses	7,790

Travel:

In state	400
Out of state	700
Equipment	635

Total	<hr/> \$65,548
-------	----------------

†Any increase in the salary of this position shall be subject to change in the provisions of RSA 94.

## Instruction:

## Personal services:

Permanent

\$63,635

Other

4,176

Total

\$67,811

## Current expenses

1,750

Equipment

800

Total

70,361

## Custodial care:††

## Personal services:

Permanent

\$383,085

Other

9,299

Total

\$392,384

## Current expenses†

70,000

Equipment

4,230

Total

466,614

†In this appropriation \$47,500 is for food and no part of this amount shall be transferred or expended for any other purpose.

††Such sums as may be required for the custody of certain inmates shall be transferred from the emergency fund upon approval by the governor and council.

## Auxiliary to custodial care:

## Personal services:

Other

5,400

## Operation of plant:

## Personal services:

Permanent

\$25,077

Other

225

Total

\$25,302

## Current expenses

37,000

Equipment

4,400

Total

66,702

## Maintenance of plant:

## Personal services:

Permanent

\$42,275

Other	1,411	
Total	<u>\$43,686</u>	
Current expenses	9,000	
Other expenditures:		
Repairs to machines, equipment, buildings and grounds (contract)	13,000	
Total	<u></u>	65,686
Boys' and girls' benefit fund:		
Current expenses		5,700
Parole:		
Personal services:		
Permanent	\$40,733	
Current expenses	450	
Travel:		
In state	2,400	
Out of state	600	
Equipment	360	
Total	<u></u>	44,543
Total for industrial school		<u>\$790,554</u>
Less refunds (maintenance)		6,500
Less estimated revenue		12,750
Net appropriation		<u><u>\$771,304</u></u>
For soldiers home:		
Office of commandant:		
Salary of commandant	\$8,900	
Other personal services:		
Permanent	5,630	
Other	575	
Total	<u></u>	\$15,105
Custodial care:		
Personal services:		
Permanent	\$32,619	
Other	1,000	
Total	<u></u>	33,619

## Professional care and treatment:

## Personal services:

Permanent	\$58,280
Other	3,500

---

Total	61,780
-------	--------

## Operation and maintenance of plant:

## Personal services:

Permanent	\$12,812
Other	550

---

Total	\$13,362
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Current expenses	29,800
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## Travel:

In state	600
Equipment	2,400

---

Total	46,162
-------	--------

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Total for soldiers home	\$156,666
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Less refunds (maintenance)	100
----------------------------	-----

Less revenue and balance	60,000
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Net appropriation	\$96,566
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## For state prison:

## Administration:

Salary of warden	\$15,120
------------------	----------

## Other personal services:

Permanent	18,685
Other	300

---

Total	\$34,105
-------	----------

Current expenses	2,100
------------------	-------

## Travel:

In state	785
Out of state	425

Equipment	475
-----------	-----

---

Total	\$37,890
-------	----------

## Instruction:

## Personal services:

Permanent	5,550
-----------	-------

Custodial care:	
Salary of deputy warden	\$9,752
Other personal services:	
Permanent††	279,627
Other	30,000
	<hr/>
Total	\$319,379
Current expenses*	107,705
Equipment	524
Other expenditures:	
Custody of certain inmates†	3,964
	<hr/>
Total	431,572

\*In this appropriation \$18,000 shall be for products used from the institution's farm. No part of this appropriation shall be transferred to any other appropriation or expended for any other purpose. The institution's farm shall receive credit for all products used even though in excess of \$18,000.

†This appropriation shall be available for the custody of unmanageable inmates in out-of-state institutions or federal penitentiaries when no suitable institution exists in New Hampshire. Any payments out of this appropriation shall be made with approval of the governor and council. This fund may also be used for such inmates who have been sent to such out-of-state institutions from the Laconia state school and the New Hampshire hospital. No part of this appropriation shall be transferred to any other appropriation or expended for any other purpose.

††The position of housekeeper included herein shall be deleted when the present incumbent retires.

Auxiliary to prison care and custody:	
Personal services:	
Other	\$8,000
Current expenses	5,500
Other expenditures:	
Awards — gate money	3,900
	<hr/>
Total	17,400
Operation of plant:	
Personal services:	
Permanent	\$30,413
Other	275
	<hr/>
Total	30,688
Maintenance of plant:	
Current expenses	11,500

## Agriculture:

## Personal services:

Permanent	\$14,894
Other	3,081

---

Total \$17,975

Current expenses 25,000

Equipment 2,500

## Other expenditures:

Butchering, curing meats and registry fees 1,200

---

Total \$46,675

Less credit transfer 18,000

Less estimated revenue 30,000

---

Net reduction —1,325

## Parole:

Salary of parole officer \$10,620

## Personal services:

Permanent	23,159
Other	600

---

Total \$34,379

Current expenses 1,200

## Travel:

In state 1,600

Out of state 500

---

Total 37,679

## Prison industries:

## Personal services:

Permanent	\$101,379
Other	11,449

---

Total \$112,828

Current expenses 196,735

## Travel:

In state 75

Out of state 275

---

Total \$309,913

Less estimated revenue and credits 332,000

---

Net appropriation —22,087

Total for state prison	\$548,867
Less refunds (maintenance)	2,826
	<hr/>
Net appropriation	\$546,041
	<hr/> <hr/>
For higher education fund:	
University of New Hampshire:	
Authorized expenditures	\$21,798,257
Less estimated revenue:	
Board and room	2,910,800
Tuition	4,264,206
Federal funds	1,166,061
Trust funds	312,847
Auxiliary enterprises	1,329,100
Other revenue	4,303,340
	<hr/>
Net appropriation	7,511,903
Keene state college:	
Authorized expenditures	\$3,560,026
Less estimated revenue:	
Board and room	687,400
Tuition	838,450
Federal funds	24,800
Auxiliary enterprises	171,500
Other revenue	447,650
	<hr/>
Net appropriation	1,390,226
Plymouth state college:	
Authorized expenditures	\$3,271,335
Less estimated revenue:	
Board and room	990,000
Tuition	766,750
Federal funds	37,700
Auxiliary enterprises	116,014
Other revenue	203,000
	<hr/>
Net appropriation	1,157,871
Salary increases for non-academic personnel†	150,000
	<hr/>
Total for higher education fund*	\$10,210,000
	<hr/> <hr/>
For extension work in counties	\$111,400
	<hr/> <hr/>



†This appropriation to be expended only for salary increases to non-academic employees of the university of New Hampshire, Keene state college and Plymouth state college.

\*For the fiscal year ending June 30, 1969, the millage formula provided by RSA 187:24 is hereby suspended and the sums hereby appropriated shall be the total appropriation for the university of New Hampshire, Plymouth state college, and Keene state college, and shall be in lieu of requirements for appropriation under said RSA 187:24.

For higher education facilities commission:

Personal services:		
Other	\$12,000	
Current expenses	1,800	
Travel:		
In state	200	
Out of state	1,500	
	<hr/>	
Total	\$15,500	
Less estimated federal funds	15,500	
	<hr/>	
Net appropriation		0
		<hr/> <hr/>

For board of education:

Administration:		
Salary of commissioner	\$16,920	
Salary of deputy commissioner	13,680	
Other personal services:		
Permanent*	232,545	
Other	1,500	
	<hr/>	
Total	\$264,645	
Current expenses	20,000	
Travel:		
In state	8,390	
Out of state	2,500	
Equipment	2,000	
	<hr/>	
Total		\$297,535

\*One position of account clerk II and one position of account clerk III are created in the department of education to be filled if federal funds become available to pay the salaries for the positions.

Foundation aid:

State aid to school districts†	4,275,000
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## Unorganized districts aid:

Tuition and transportation††	\$20,000
Less estimated revenue	7,044

## Net appropriation

12,956

†This appropriation shall not be transferred or expended for any other purpose.

††The funds received from assessments against unincorporated places for benefit of public schools may be used for tuition and transportation upon approval of the governor and council.

## School building construction:

## Other expenditures:

Aid to school districts for school building construction*	2,750,000
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\*These funds shall not be expended for any other purpose and no transfers shall be made therefrom. Funds shall be distributed under provisions of RSA 198:15e.

## Reorganization incentive aid to

cooperative school districts†	450,000
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†This appropriation shall be expended only as provided by RSA 198:18 and no transfer of funds shall be made therefrom.

## State-wide supervision:

## Other expenditures:

Salaries and travel of superintendents, assistant superintendents and teacher consultants†	\$960,260
Superintendents' conference	2,000

Total	\$962,260
Less revenue from school districts	665,910

## Net appropriation

296,350

†The state board of education shall receive for disbursement sums paid by school districts for the additional salaries of superintendents under the provisions of RSA 189:44. In the above appropriation \$665,910 shall come from funds received under RSA 189:44 and the state's share shall not exceed \$294,350.

## School lunch and milk programs: federal

## Other expenditures:

Reimbursements to school districts for School lunch program	\$440,000
--	-----------

School milk program	440,000	
Total	<u>\$880,000</u>	
Less estimated federal funds	<u>880,000</u>	
Net appropriation		0
Education of handicapped children:		
Other expenditures:		
Grants to approved programs, as provided by RSA 186-a	\$75,000	
Less estimated revenue	<u>15,900</u>	
Net appropriation		59,100
Education of deaf:		
Current expenses*	\$345,000	
Less estimated revenue	<u>52,110</u>	
Net appropriation		292,890
*These funds shall be for payments to schools for board, room and tuition and shall not be expended for any other purpose and no transfer shall be made therefrom.		
Intellectually retarded children		150,000
Emotionally disturbed children		20,000
National defense educational act—title III:		
Personal services:		
Permanent	\$38,264	
Current expenses	7,250	
Travel:		
In state	2,200	
Out of state	750	
Other expenditures:		
Curriculum studies and conference	1,950	
Reimbursements to school districts	300,000	
Oasi, retirement and insurance	<u>2,300</u>	
Total	<u>\$352,714</u>	
Less estimated federal funds	<u>328,757</u>	
Net appropriation		23,957
National defense education act—title V:		
Personal services:		
Permanent	\$10,230	

Current expenses	825	
Travel:		
In state	600	
Out of state	200	
Other expenditures:		
Reimbursements to school districts	75,000	
Employees' benefits	800	
	<hr/>	
Total	\$87,655	
Less estimated federal funds	81,727	
	<hr/>	
Net appropriation		5,928
National defense education act—title X:		
Personal services:		
Permanent	\$16,841	
Other	1,600	
	<hr/>	
Total	\$18,441	
Current expenses	11,000	
Travel:		
In state	500	
Out of state	350	
Equipment	440	
Other expenditures:		
Employees' benefits	800	
	<hr/>	
Total	\$31,531	
Less estimated federal funds	19,141	
	<hr/>	
Net appropriation		12,390
Fire service training:		
Other expenditures		18,000
Manpower development and training:		
Personal services:		
Permanent	\$26,138	
Other	7,800	
	<hr/>	
Total	\$33,938	
Current expenses	3,400	
Travel:		
In state	6,160	
Out of state	970	

Other expenditures:		
Oasi, retirement, insurance	2,220	
Approved projects	703,312	
	<hr/>	
Total	\$750,000	
Less estimated federal funds	675,000	
	<hr/>	
Net appropriation		75,000

Vocational education acts:		
Personal services:		
Permanent	\$105,914	
Other	500	
	<hr/>	
Total	\$106,414	
Current expenses	4,000	
Travel:		
In state	4,000	
Out of state	2,000	
Other expenditures:		
Reimbursements to school districts and institutes for salaries of teachers, teacher travel, construction and equipment	840,751	
	<hr/>	
Total	\$957,165	
Less estimated federal funds	858,810	
	<hr/>	
Net appropriation		98,355

Vocational rehabilitation:		
Personal services:		
Permanent	\$118,206	
Other	1,000	
	<hr/>	
Total	\$119,206	
Current expenses	12,000	
Travel:		
In state	7,000	
Out of state	700	
Other expenditures:		
Employee benefits and merit system	5,000	
Case services	240,000	
	<hr/>	
Total	\$383,906	

Less estimated federal funds	287,929	
Net appropriation		95,977
Rehabilitation facilities planning grant:		
Personal services:		
Permanent	\$13,195	
Current expenses	1,300	
Travel:		
In state	1,900	
Out of state	200	
Other expenditures	1,000	
Total	\$17,595	
Less estimated federal funds	15,835	
Net appropriation		1,760
Oasi disability determination—federal:		
Personal services:		
Permanent	\$40,610	
Current expenses	7,436	
Travel:		
In state	425	
Out of state	1,040	
Equipment	1,110	
Other expenditures:		
Medical consultations and examinations	40,561	
Clients travel	2,110	
Oasi, retirement, merit system, blue cross and insurance	4,398	
Total	\$97,690	
Less estimated federal funds	97,690	
Net appropriation		0
New Hampshire technical institute—Concord:		
Salary of director	\$13,500	
Other personal services:		
Permanent	282,077	
Other	30,000	
Total	\$325,577	
Current expenses	160,000	

Travel:		
In state	1,000	
Out of state	800	
Equipment	1,885	
Other expenditures:		
Grants to students	10,000	
Total	\$499,262	
Less estimated revenue:		
Tuition	78,000	
Room and board	70,000	
Cafeteria	10,000	
Textbooks and supplies	38,500	
Evening school and summer program	25,500	
Miscellaneous	3,000	
Net appropriation		274,262
N. H. vocational institute—Berlin:		
Personal services:		
Permanent	\$166,319	
Other	13,000	
Total	\$179,319	
Current expenses	44,000	
Travel:		
In state	700	
Out of state	250	
Equipment	100	
Total	\$224,369	
Less estimated revenue:		
Tuition	50,000	
Cafeteria	11,000	
Textbooks and supplies	28,000	
Evening school and summer program	6,000	
Net appropriation		129,369
N. H. vocational institute—Claremont:		
Personal services:		
Permanent	\$128,680	
Other	10,000	
Total	\$138,680	

Current expenses	45,000	
Travel:		
In state	800	
Out of state	200	
Total	\$184,680	
Less estimated revenue:		
Tuition	25,800	
Textbooks and supplies	12,000	
Evening school and summer program	5,000	
Federal funds	16,731	
Net appropriation		125,149
N. H. vocational institute—Laconia:		
Personal services:		
Permanent	\$111,580	
Other	10,000	
Total	\$121,580	
Current expenses	42,000	
Travel:		
In state	800	
Out of state	200	
Total	\$164,580	
Less estimated revenue:		
Tuition	38,000	
Textbooks and supplies	18,000	
Evening school	5,000	
Net appropriation		103,580
N. H. vocational institute—Manchester:		
Personal services:		
Permanent	\$226,434	
Other	13,000	
Total	\$239,434	
Current expenses	56,000	
Travel:		
In state	650	
Out of state	200	
Equipment	475	
Total	\$296,759	



## Less estimated revenue:

Tuition	70,000
Cafeteria	12,500
Textbooks and supplies	15,000
Evening school	7,800

## Net appropriation

191,459

## N. H. vocational institute—Portsmouth:

## Personal services:

Permanent	\$188,723
Other	13,000

## Total

\$201,723

## Current expenses

44,000

## Travel:

In state	800
Out of state	350
Equipment	3,810

## Total

\$250,683

## Less estimated revenue:

Tuition	50,000
Cafeteria	8,500
Textbooks and supplies	7,000
Evening school	7,800
Federal funds	15,400

## Net appropriation

161,983

Scholarships — world war orphans —  
as provided by RSA 193

2,700

## Board of nursing education and nurse registration:

## Personal services:

Permanent	\$23,895
Other	600

## Total

\$24,495

## Current expenses

6,800

## Travel:

In state	600
Out of state	200

Other expenditures:		
Board members travel	300	
Employee benefits	2,299	
	<hr/>	
Total	\$34,694	
Less estimated revenue and balance	34,694	
	<hr/>	
Net appropriation		0
Civil defense adult education:		
Personal services:		
Permanent	\$21,799	
Other	11,250	
	<hr/>	
Total	\$33,049	
Current expenses	5,300	
Travel:		
In state	2,635	
Out of state	785	
Equipment	200	
Other expenditures:		
Retirement, oasi, blue cross, insurance	2,173	
	<hr/>	
Total	\$44,142	
Less estimated federal funds	44,142	
	<hr/>	
Net appropriation		0
Elementary and secondary education act — title I:		
Personal services:		
Permanent	\$55,166	
Other	1,359	
	<hr/>	
Total	\$56,525	
Current expenses	7,175	
Travel:		
In state	4,000	
Out of state	1,600	
Other expenditures:		
Employee benefits	5,200	
Conference and workshop	500	
Distribution to school districts	1,452,253	

State operated and supported schools for handicapped children	58,444
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Total	\$1,585,697
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Less estimated federal funds	1,585,697
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Net appropriation	0
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#### Elementary and secondary education act — title II:

##### Personal services:

Permanent	\$13,434
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Other	2,000
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Total	\$15,434
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Current expenses	1,825
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##### Travel:

In state	1,200
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Out of state	350
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Equipment	600
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##### Other expenditures:

Employee benefits	1,400
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Conference and curriculum studies	600
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Reimbursements to school districts	375,000
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Total	\$396,409
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Less estimated federal funds	396,409
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Net appropriation	0
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#### Elementary and secondary education act — title V:

##### Personal services:

Permanent	\$110,187
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Other	3,628
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Total	\$113,815
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Current expenses	12,200
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##### Travel:

In state	5,550
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Out of state	2,450
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##### Other expenditures:

Employees benefits	6,425
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Total	\$140,440
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Less estimated federal funds	140,440
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Net appropriation	0
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## Adult basic education:

## Personal services:

Permanent	\$14,510
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Current expenses	3,120
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## Travel:

In state	900
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Out of state	400
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Equipment	250
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## Other expenditures:

Conference and curriculum studies	1,920
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Grants to local centers	77,500
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Employees benefits	1,400
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Total	\$100,000
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Less estimated federal funds	90,000
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Net appropriation	10,000
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Total for board of education	\$9,933,700
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## Less estimated revenue:

Literary fund	11,500
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Net appropriation for board of education	\$9,922,200
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Note: In addition to the above appropriation, said department shall receive for disbursement any actual excess over the estimates in the income of the evening school or evening school and summer program received by the technical or vocational institutes; provided, however, that said department may disburse any such excess, with the approval of the governor and council, only in connection with those services from which the excess arose.

## For coordinating board of advanced education and accreditation:

Salary of executive secretary	\$5,000
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## Other personal services:

Other	3,567
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Total	\$8,567
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Current expenses	900
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## Travel:

In state	850
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Out of state	350
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Total	\$10,667
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For board of probation:		
Salary of director	\$9,819	
Other personal services:		
Permanent	300,626	
Other	7,723	
	<hr/>	
Total	\$318,168	
Current expenses	25,000	
Travel:		
In state	16,000	
Out of state	1,000	
Equipment	5,400	
	<hr/>	
Total for board of probation		<u>\$365,568</u>
For water resources board:		
Salary of chairman	\$11,639	
Other personal services:		
Permanent	77,458	
Other	1,700	
	<hr/>	
Total	\$90,797	
Current expenses	3,700	
Travel:		
In state	4,000	
Out of state	675	
Equipment	3,475	
Other expenditures:		
Survey of effect of highway salt on ground water resources†	4,000*	
Stream flow gauging	25,800*	
Connecticut river valley flood control commission:		
Per diem and expenses of commission	700	
State's contribution to commission	1,950	
Maintenance of dams†	15,000	
Survey and investigation re ground water resources†	11,800*	
Improvements on small watersheds	2,500	
Merrimack river valley flood control commission:		
Per diem and expenses of commission	600	
State's contribution to commission	3,000	

Wetland program†	
Other personal services	14,715
	<hr/>
Total	182,712
Less transfers from:	
Public works and highways	10,000
Pittsburg project	12,208
Lakeport project	5,897
	<hr/>
Net appropriation for water resources board	\$154,607
	<hr/> <hr/>

†This appropriation shall not be transferred or expended for any other purpose.

\*To be used only for matching purposes with federal funds.

Note: Notwithstanding any other statute or law to the contrary, the water resources board may not accept or receive any gift or grant of a dam, with or without the approval of the governor and council. This note does not apply to Public law 566 projects.

For aeronautics commission:

Administration:

Salary of director	\$13,500
Other personal services:	
Permanent	56,866
Other	1,500

Total	\$71,866
Current expenses	5,675
Travel:	
In state	3,000
Out of state	2,250

Total	\$82,791
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Airways toll fund:

Other expenditures:

Establishment and maintenance of air navigation facilities on state airways system	10,000
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Aircraft operating fees:

Other expenditures — as provided by 1961:261	11,500
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Aircraft rental and/or operation:

Other expenditures	5,000
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Total for aeronautics commission	\$109,291
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## For arts commission:

Other expenditures	\$30,000
Less: Federal and local contributions	22,500

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Total for arts commission† \$7,500

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†This appropriation shall not be expended unless three-to-one matching funds are received.

## For bank commissioner:

## Administration

Salary of bank commissioner	\$14,412
Salary of deputy commissioner	13,740
Salary of assistant commissioner	12,000
Other personal services:	
Permanent	200,101
Other	2,000

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Total \$242,253

Current expenses 23,433

## Travel:

In state	19,750
Out of state	2,100

Equipment 2,930

## Other expenditures:

Oasi and retirement	21,497
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Total \$311,963

Less revenue 297,551

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Net appropriation \$14,412

## Small loan and motor vehicle finance division:†

## Personal services:

Permanent	\$21,679
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Current expenses 1,000

## Travel:

In state	1,225
Out of state	460

## Other expenditures:

Oasi and retirement	1,983
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Total \$26,347

Less revenue†† 26,347

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Net appropriation

†Other provisions of law notwithstanding, the balance in the small loan license fund and the motor vehicle sales finance fund at June 30, 1969 shall lapse to unappropriated surplus of the general fund.

††Notwithstanding any law to the contrary, expenditures from this fund shall be subject to budgetary limitations.

Total for bank commissioner	\$14,412
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For human rights commission:

Other expenditures†	\$2,500
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†The office of legislative services shall furnish legal and technical assistance to the human rights commission.

For liquor commission:

Administration:

Salaries of three commissioners	\$36,500
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Other personal services:

Permanent	305,663
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Other	3,500
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Total	\$345,663
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Current expenses	45,421
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Travel:

In state	21,525
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Out of state	2,700
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Equipment	4,218
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Other expenditures:

Oasi and retirement	28,787
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Special investigative work	500
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Total	\$448,814
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Stores operation:

Personal services:

Permanent	\$1,300,850
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Other	235,000
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Total	\$1,535,850
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Current expenses	478,875
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Travel:

In state	10,220
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Equipment	46,100
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Other expenditures:		
Oasi and retirement	121,480	
	<hr/>	
Total	\$2,192,525	
Less revenue from sweepstakes commission	114,000	
	<hr/>	
Net appropriation		2,078,525
Warehouse:		
Personal services:		
Permanent	\$117,384	
Other	16,650	
	<hr/>	
Total	\$134,034	
Current expenses	31,451	
Equipment	768	
Other expenditures:		
Oasi and retirement	10,923	
	<hr/>	
Total		177,176
		<hr/>
Total for liquor commission		\$2,704,515
		<hr/> <hr/>

Note: Notwithstanding other provisions of statutes or rules or regulations to the contrary: (1) all state liquor stores shall open for business no later than 9:00 a.m.; (2) all state liquor stores shall be open a full business day on all six business days of each week, except on legal holidays, except, as provided in RSA 176:11, and on election days; (3) the fifteen liquor stores which have the greatest volume of business shall remain open until at least 10:00 p.m. on at least one business day each week.

For public utilities commission:†

Office of the commission:	
Salaries of three commissioners	\$39,255
Other personal services:	
Permanent	128,188
Other	1,600
	<hr/>
Total	\$169,043
Current expenses	22,131
Travel:	
In state	4,500
Out of state	3,000
Equipment	1,672

Other expenditures:	
Oasi and retirement	10,330
	<hr/>
Total for public utilities commission	\$210,676
Less estimated reimbursement	171,421
	<hr/>
Net appropriation	\$39,255
	<hr/>

†Notwithstanding any other provisions of law to the contrary, the amount of expenses ascertained under the provisions of RSA 363-A:1 (Supp) and the assessment thereof provided by RSA 363-A:2 (Supp) shall include all fiscal year expenditures, except the salaries of the commissioners, of the public utilities commission.

For racing commission:

Thoroughbred racing:	
Salaries of three commissioners	\$9,000
Other personal services:	
Permanent	25,063
Other*	35,752
	<hr/>
Total	\$69,815
Current expenses	5,995
Travel:	
In state	2,000
Out of state	2,000
Equipment	450
	<hr/>
Total	\$80,260
Less reimbursement	5,731
	<hr/>
Net appropriation	74,529
Harness racing:	
Personal services:	
Permanent	\$21,536
Other*	111,219
	<hr/>
Total	\$132,755
Current expenses	3,500
Travel:	
In state	11,334
Out of state	600
Equipment	650
	<hr/>
Total	\$148,839

Less reimbursement	12,745	
	<hr/>	
Net appropriation		136,094
		<hr/>
Total for racing commission		\$210,623
		<hr/> <hr/>

\*Such portion of this amount as constitutes the compensation of the official state steward or associate judge of the state racing commission, shall be reimbursed to the state by the person, association, or corporation conducting the race or meet and such reimbursement shall include the employer's share of oasi taxes.

For sweepstakes commission:

Salary of commission chairman	\$3,000
Salaries of two commissioners	4,800
Salary of executive director	20,000
Other personal services:	
Permanent	113,561
Other	56,830

Total	\$198,191
Current expenses*	93,000

Travel:

In state	18,500
Out of state	1,500

Equipment	3,500
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Other expenditures:

Oasi and retirement	12,000
Purses awarded horses	200,000
Net track expenses	36,000
Liquor commission**	114,000

Total	\$676,691
Less transfers from revenue account†	676,691

Net appropriation	0
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\*In this appropriation \$15,000 is for promotion and advertising outside the state of New Hampshire and shall be expended only with prior approval of the governor and council, if such expenditure becomes permissible under federal law.

\*\*This appropriation shall not be transferred or expended for any other purpose. The liquor commission shall be reimbursed monthly for services rendered, at the rate of 4% of the income received from sale of sweepstakes tickets in liquor stores.

†Transfers shall be made from the revenue account of the sweepstakes commission to cover actual expenditures from appropriated funds.

Note 1: Subsidiary records shall be maintained by the sweepstakes commission which shall reflect proceeds and expenditures applicable to each sweepstakes year. The resulting net balance remaining from each year shall be paid out to the school districts of the state as provided by RSA 284:21-j.

Note 2: No funds of the sweepstakes commission shall be expended for legal services.

For tax commission:

Office of commission:

Salaries of two commissioners	\$24,271
Salary of secretary	15,300
Other personal services:	
Permanent	217,304
Other*	90,000

Total	\$346,875
Current expenses	20,000
Travel:	
In state	42,000
Out of state	2,000
Equipment†	13,500

Total	\$424,375
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\*Expenditures from this appropriation for appraisal of utilities shall not exceed \$3,000.

†No funds of the tax commission shall be expended for purchase of an electronic calculator.

Municipal accounting:

Personal services:

Permanent	\$88,924
Other	1,000

Total	\$89,924
Current expenses	2,500
Travel:	
In state	7,000
Out of state	350
Equipment	450

Total	100,224
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## Intangible tax:

## Personal services:

Permanent	\$33,897
Other	400

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Total	\$34,297
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Current expenses	3,300
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## Travel:

In state	300
Out of state	450

## Other expenditures:

Oasi and retirement	2,970
Blue cross and insurance	280

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Total	41,597
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## Inheritance tax:

## Personal services:

Permanent	\$24,887
Other	7,000

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Total	\$31,887
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Current expenses	1,820
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## Travel:

In state	150
Out of state	50

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Total	33,907
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## Tobacco products tax:

## Personal services:

Permanent	\$45,045
Other	400

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Total	\$45,445
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Current expenses	2,500
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## Travel:

In state	4,900
Out of state	750

Equipment	1,680
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Total	55,275
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## Boat taxation:

## Personal services:

Other	\$3,500
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Other expenditures	3,500	
	<hr/>	
Total	\$7,000	
Less revenue and balance	7,000	
	<hr/>	
Net appropriation		0
Room and meals tax:†		
Personal services:		
Permanent	\$33,389	
Other	4,000	
	<hr/>	
Total	\$37,389	
Current expenses	5,425	
Travel:		
In state	6,500	
	<hr/>	
Total	\$49,314	
Transfer from room and meals fund	49,314	
	<hr/>	
Net appropriation		0

†The sums hereby appropriated shall be a charge upon the room and meals fund as established by RSA 78-A:23, as inserted by 1967, 213:1. The governor is authorized to draw his warrant for the sums hereby appropriated out of the general funds in so far as may be necessary prior to the collection of taxes under said chapter. The general funds shall be reimbursed for any such expenditures when taxes are collected as provided in RSA 78-A:24.

Other expenditures:	
Flood control	70,000
Appraisal school	2,000
Forest conservation aid	52,000
Special aid for heavily timbered towns	20,500
	<hr/>
Total for tax commission	\$799,878
	<hr/> <hr/>

For water pollution commission:

Office of commission:	
Deputy executive director and chief engineer	\$14,445
Chief aquatic biologist	10,460
Director of municipal services and assistance	10,280

## Other personal services:

Permanent	235,670
Other	3,000

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Total \$273,855

Current expenses 16,465

## Travel:

In state	26,100
Out of state	1,100

Equipment 10,303

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Total \$327,823

## New England interstate water pollution commission:

## Personal services:

Other \$700

Current expenses 1,500

## Travel:

Out of state 800

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Total 3,000

State aid grants\* 1,603,186

\*The sum hereby appropriated shall not lapse, but shall be added to the appropriation of the commission in any succeeding fiscal year, to be used for the purpose herein contained.

## Sanitary engineering:

Salary of executive director \$16,800

## Other personal services:

Permanent	67,513
Other	6,000

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Total \$90,313

Current expenses 6,900

## Travel:

In state	5,000
Out of state	400

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Total 102,613

## Federal funds:

## Personal services:

Permanent	\$23,291
Other	3,500

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Total \$26,791

Current expenses	3,369	
Travel:		
In state	1,000	
Out of state	800	
Equipment	840	
Other expenditures:		
Oasi and retirement	2,100	
Blue cross and insurance	100	
Total	\$35,000	
Less estimated revenue	35,000	
Net appropriation		0
Total for water pollution commission		\$2,036,622
For civil defense:		
Administration:		
Personal services:		
Permanent	\$71,677	
Current expenses	9,200	
Travel:		
In state	25	
Out of state	200	
Equipment	3,600	
Other expenditures:		
Gilford training center	1,000	
Radiological courses and training at federal schools	200	
Merit system	261	
Total		\$86,163
Field staff:		
Travel:		
In state	\$2,500	
Out of state	300	
Total		2,800
Total for civil defense*		\$88,963
Less estimated federal reimbursement*		41,926
Net appropriation		\$47,037



\*This amount available for expenditures only if federal grants are available. Any funds in excess of the estimated federal grants shall be available for such further expenditure as the governor and council shall approve. Any curtailment of civil defense activities caused by a decrease in federal grants will be implemented by a proportionate decrease in all classes of expenditure as recommended by the civil defense director and approved by the governor and council, including any permanent personal services formerly covered by federal funds.

For civil air patrol — current expenses	\$15,000
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For public works division of department  
of public works and highways:

Personal services:

Permanent	\$114,846
Other	40,000

Total	\$154,846
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Current expenses	20,000
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Travel:

In state	5,800
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Out of state	285
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Equipment	2,000
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Other expenditures:

Administrative costs to department of public works and highways	5,000
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Total	\$187,931
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Less estimated credits	7,000
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Net appropriation	\$180,931
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For fish and game department:

Commission:

Current expenses	\$50
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Travel:

In state	1,150
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Total	\$1,200
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Administration:

Salary of director	\$13,500
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Other personal services:

Permanent	64,193
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Other	1,400	
Total	\$79,093	
Current expenses	29,000	
Travel:		
In state	700	
Out of state	700	
Equipment	475	
Other expenditures:		
Retirement	37,400	
Oasi	39,540	
Life insurance and blue cross	5,450	
Total		192,358
Conservation officers:		
Personal services:		
Permanent	\$277,776	
Other	9,000	
Total	\$286,776	
Current expenses†	31,000	
Travel:		
In state	44,000	
Out of state	350	
Equipment	33,600	
Total		395,726

†No charge against this appropriation, or any other appropriation of the fish and game department, shall be made for telephone services for conservation officers, except for toll service.

Damage:		
Personal services:		
Permanent	\$7,901	
Other	1,800	
Total	\$9,701	
Current expenses	5,000	
Travel:		
In state	400	
Equipment	1,500	

## Other expenditures:

Damage grants	4,500
Bobcat bounties*	2,000

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Total 23,101

\*No part of this appropriation shall be transferred or expended for any other purpose.

## Education:

## Personal services:

Permanent	\$24,463
Other	500

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Total \$24,963

Current expenses 15,000

## Travel:

In state	1,750
Out of state	350

## Other expenditures:

Shows†	500
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Total 42,563

†Not to be transferred or expended for any other purpose.

## Inland fisheries (propagation of fish) :

## Personal services:

Permanent	\$304,910
Other	1,500

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Total \$306,410

Current expenses 94,000

## Travel:

In state	6,625
Out of state	350

Equipment 12,000

## Other expenditures:

U.N.H. contract	10,000
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Total 429,385

## Propagation of game:

## Personal services:

Permanent	\$22,066
Other	875

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Total \$22,941

Current expenses	16,000	
Travel:		
In state	50	
Equipment	1,185	
	<hr/>	
Total		40,176
Management and research:		
Personal services:		
Permanent	\$152,046	
Other	2,000	
	<hr/>	
Total	\$154,046	
Current expenses	30,000	
Travel:		
In state	5,000	
Out of state	725	
Equipment	7,995	
Other expenditures:		
U.N.H. contract	4,500	
	<hr/>	
Total		202,266
Maintenance and construction:		
Personal services:		
Permanent	\$80,369	
Other	4,000	
	<hr/>	
Total	\$84,369	
Current expenses	30,505	
Travel:		
In state	3,000	
Out of state	250	
Equipment	7,150	
Other expenditures:		
Land acquisition	100	
Adams Point property	5,000	
	<hr/>	
Total		130,374
		<hr/>
Total for fish and game department		\$1,457,149
Less revenue and balance		1,457,149
		<hr/>
Net appropriation		0
		<hr/> <hr/>

Note: In addition to the above appropriations any excess over the estimated revenue and balance may be expended by the fish and game commission with the prior approval of the governor and council. Appropriations for equipment shall not be transferred or expended for any other purpose.

For marine fisheries:

Personal services:

Permanent	\$12,264
Other	1,946

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Total	\$14,210
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Current expenses	3,500
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Travel:

In state	800
Out of state	1,400

Equipment	1,400
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Other expenditures:

Atlantic coast marine fisheries	700
Project 3-31-R	1,600
Project 3-32-R	6,300

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Total	\$29,910
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Less estimated revenue	29,910
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Net appropriation	0
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For public works and highways:

Administration:

Salary of commissioner	\$18,620
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Salary of deputy commissioner	16,810
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Salary of assistant commissioner	16,620
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Other personal services:

Permanent	376,010
Other	7,500

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Total	\$435,560
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Current expenses	180,000
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Travel:

In state	500
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Out of state	4,000
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Equipment	2,290
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Total	\$622,350
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Engineering:		
Personal services:		
Permanent	\$3,571,106	
Other	945,000	
	<hr/>	
Total	\$4,516,106	
Current expenses	174,000	
Travel:		
In state	230,000	
Out of state	5,000	
Equipment	16,000	
	<hr/>	
Total		4,941,106
Materials and research:		
Personal services:		
Permanent	\$341,848	
Other	13,440	
	<hr/>	
Total	\$355,288	
Current expenses	34,000	
Travel:		
In state	41,940	
Out of state	500	
Equipment	4,580	
	<hr/>	
Total		436,308
Mechanical:		
Personal services:		
Permanent	\$451,898	
Other	9,192	
	<hr/>	
Total	\$461,090	
Current expenses	845,000	
Travel:		
In state	2,680	
Out of state	320	
Equipment	580,000	
	<hr/>	
Total		1,889,090
Planning and economics:		
Personal services:		
Permanent	\$288,599	

Other	18,370	
Total	<u>\$306,969</u>	
Current expenses	21,150	
Travel:		
In state	7,195	
Out of state	800	
Equipment	<u>6,765</u>	
Total		342,879
Road maintenance:		
Personal services:		
Permanent	\$3,641,843	
Other	<u>378,085</u>	
Total	<u>\$4,019,928</u>	
Current expenses	5,815,000	
Travel:		
In state	140,000	
Equipment	<u>139,970</u>	
Total		10,114,898
Bridge maintenance:		
Personal services:		
Permanent	\$327,534	
Other	<u>30,000</u>	
Total	<u>\$357,534</u>	
Current expenses	316,714	
Travel:		
In state	70,000	
Equipment	<u>12,100</u>	
Total		756,348
Traffic: (highway marking and roadside development)		
Personal services:		
Permanent	\$323,209	
Other	<u>31,000</u>	
Total	<u>\$354,209</u>	
Current expenses	370,000	

Travel:		
In state	67,000	
Out of state	400	
Equipment	3,910	
	<hr/>	
Total		795,519
Legislative specials:		
Claims	\$750	
Retirement	358,000	
Oasi	416,200	
Maintenance, class V highways	300,100	
Roads to public waters	10,000	
Accidents and compensation	42,000	
Special retirement	2,064	
Attorney general — for legal services	71,997	
Safety department — for commissioner, division of motor vehicles, state police and safety services	2,458,013	
Water resources — for stream flow gauging	10,000	
State treasurer — for services	22,453	
Blue cross and insurance	52,000	
Highway beautification — outdoor advertising	25,000	
Junk yards	25,000	
State coordinator of highway safety	26,835	
	<hr/>	
Total		3,820,412
Highway safety rest areas:		
Permanent personal services	\$99,000	
Temporary personal services	32,000	
Current expenses	14,600	
Equipment	1,000	
Travel:		
In state	1,040	
	<hr/>	
Total	\$147,640	
Transfer from:		
E.N.H. turnpike	10,930	
C.N.H. turnpike	19,070	
	<hr/>	
Net total		117,640
Debt service		6,080,125
Land and buildings		580,000



## Construction and reconstruction:

## Matching funds (federal aid) :

Interstate	\$19,035,700
Primary	4,768,400
Secondary	3,178,900
Urban	1,423,000

Total — matching funds†	28,406,000
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†No transfers shall be made from this appropriation.

## State funds:

Trunk line reconstruction	\$100,000
State aid reconstruction	100,000
State aid construction	100,000
Town road aid	1,650,000
Betterments	1,500,000
State aid bridge construction	150,000
Town road bridge	75,000
Federal land funds	100,000
Damage	100,000

Total	3,875,000
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Total for public works and highways	\$62,777,675
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## Less estimated revenue and balance:

## Available from estimated lapses and balance

Gasoline road toll (net)	\$1,479,920
Motor vehicle fees (gross)	20,925,036
Mechanical division (garage)	11,825,301
Mechanical division (garage)	1,635,000
Federal aid funds (net)	22,562,418
Other revenue	350,000
Funds from issuance of bonds	4,000,000

Total	62,777,675
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Net appropriation	0
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## For Eastern New Hampshire turnpike:

## Blue Star memorial highway (Seabrook-Portsmouth toll road) :

## Operating:

## Personal services:

Permanent	\$109,890
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Other	37,000	
Total	<u>\$146,890</u>	
Current expenses	95,458	
Travel:		
In state	1,000	
Equipment	2,635	
Total	<u></u>	\$245,983
Maintenance:		
Personal services:		
Permanent	\$66,196	
Other	3,850	
Total	<u>\$70,046</u>	
Current expenses	173,428	
Travel:		
In state	700	
Equipment	10,000	
Total	<u></u>	254,174
Debt service:		
Bonds maturing	\$330,000	
Interest on bonds	46,720	
Total	<u></u>	376,720
Total for blue star memorial highway		<u>\$876,877</u>
Spaulding turnpike:		
Operating:		
Personal services:		
Permanent	\$95,454	
Other	18,000	
Total	<u>\$113,454</u>	
Current expenses	93,118	
Travel:		
In state	1,250	
Equipment	2,500	
Total	<u></u>	\$210,322

## Maintenance:

## Personal services:

Permanent	\$67,874
Other	4,500

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Total	\$72,374
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Current expenses	60,000
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## Travel:

In state	1,100
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Equipment	12,000
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Total	145,474
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## Debt service:

Bonds maturing	\$390,000
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Interest on bonds	348,000
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Total	738,000
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Total for Spaulding turnpike	1,093,796
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Total for eastern New Hampshire turnpike*	\$1,970,673
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Less estimated revenue	1,970,673
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Net appropriation	\$ 0
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\*Expenditures for fiscal 1969 shall not exceed actual revenue.

## For central New Hampshire turnpike:

## Operating:

## Personal services:

Permanent	\$133,094
Other	15,496

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Total	\$148,590
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Current expenses	156,878
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## Travel:

In state	1,800
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Equipment	3,975
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Total	\$311,243
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## Maintenance:

## Personal services:

Permanent	\$135,897
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Other	7,500	
Total	\$143,397	
Current expenses	221,448	
Travel:		
In state	2,500	
Equipment	24,000	
Total		391,345
Debt service:		
Bonds maturing	\$640,000	
Interest on bonds	437,063	
Total		1,077,063
Total for central New Hampshire turnpike*		\$1,779,651
Less estimated revenue		1,779,651
Net appropriation		\$ 0

\*Expenditure for fiscal 1969 shall not exceed actual revenue.

Total net appropriation for the fiscal year ending June 30, 1969	\$57,145,954
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**380:2 Out of state travel.** Notwithstanding any other provision of law, no transfers shall be made to or from any out of state travel appropriation authorized by section 1. The state treasurer and the state comptroller shall maintain separate appropriation accounts for out of state travel as appropriated in section 1.

**380:3 Equipment.** The individual appropriations provided for equipment in section 1 hereof shall not be transferred or expended for any other purpose.

**380:4 Estimated federal funds.** If under any appropriation in section 1 the federal grant received is less than estimated, the total appropriation shall be reduced by the amount of reduction in federal estimates and the applicable state matching funds.

**380:5 Bond issue authorized.** To provide funds for the purpose of construction and reconstruction of highways, the state treasurer is hereby authorized to borrow upon the credit of the state in a sum not exceeding four million dollars and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance

with the provisions of RSA 6-A. The interest and principal due on bonds or notes issued under this section shall be a charge on the highway fund.

**380:6 Continuing appropriation.** The monies provided in section 5 hereof shall be a continuing appropriation and shall not lapse.

**380:7 Salary adjustments.** Upon request of the appointing authority, the governor and council is hereby authorized and empowered, notwithstanding any other provision of law to the contrary, upon a finding by them that it is in the best interests of the state and is necessary in order to recruit and/or retain qualified personnel to increase the salaries of any of the following listed and identified positions, and all such increases granted shall be a charge against the salary adjustment fund: assistant superintendent New Hampshire hospital, directors of clinical services, director of clinical and surgical services, director of division of mental health, director of division of public health services, director of outpatient services, director of psychiatric education and research, senior psychiatrists, superintendent New Hampshire hospital, and superintendent of state sanatorium; all classified positions that, in the best interests of the state, require they be filled by a person certified or eligible to be certified by the American Board of Neurology and Psychiatry or by a diplomate or person eligible to be a diplomate of the American Psychological Association or by a person registered and licensed or eligible to be registered and licensed to practice medicine in this state or by a person licensed or eligible for licensure to practice dentistry in this state. In the event the authority hereby granted is exercised to increase the salary for any such classified position in order to recruit or retain personnel, the salary of all classified personnel in the same classification shall be increased pursuant to this section to the same amount. Notwithstanding any other provisions of law to the contrary, no classified employee of the state shall be paid a higher salary than the highest salary range provided for by RSA 99, as amended, except as provided for by this section.

**380:8 Room assignment.** Other provisions of law notwithstanding, all rooms on the third floor of the state house shall be assigned for use by the President of the Senate and the Speaker of the House.

**380:9 Sweepstakes commission funds.** Notwithstanding any provision of law to the contrary, in order to allow the sweepstakes commission to efficiently handle its funds, the commission shall deposit all funds received by it in commercial banks throughout the state in not more than as many different accounts as there are outlets for the sale of tickets. The commission may maintain a balance of \$20,000 in one of said accounts and \$10,000 in all others. All funds in said accounts in excess of said balances shall be transferred weekly to a special sweepstakes bank account in which there shall be maintained a minimum balance of \$100,000, as soon as said amount is available from current sales of tickets. All sums in excess of said

minimum of \$100,000 in said special account shall be remitted weekly to the state treasurer for credit to the sweepstakes special fund. Provided however, that on or before December 15 of each year all minimum balances shall be paid into the state treasurer.

**380:10 Room assignment.** Other provisions of law notwithstanding, all rooms on the third floor of the state house shall be assigned for use by the president of the senate and the speaker of the house.

**380:11 Committee established.** There is hereby established a committee of six members, composed of the president of the senate, the speaker of the house, and the majority and minority leaders of the house and senate, to research, record and publish the history, background, story, development and achievements of the general court in such form as it may determine with the purpose in view of making available in convenient, interesting, and readable form to the people of the state and teachers and students this facet of the history of our state. There is hereby appropriated for the fiscal year ending June 30, 1969, the sum of eight thousand dollars, which shall be non-lapsing, to be expended by the committee to pay for the costs hereof including but not limited to the employment of clerical, research, consultant and expert personnel to assist the committee in carrying out the purposes for which it is hereby established which shall be a charge against the legislative appropriation. All state, county, city and town officers, agencies and departments are hereby directed to cooperate fully with the committee in furnishing to it data, information and facts relative to the general court which come within their custody or knowledge in their official capacity.

**380:12 Takes effect.** This act shall take effect July 1, 1968.

[Approved July 3, 1967.]

[Effective date July 1, 1968.]

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## CHAPTER 381.

### AN ACT AUTHORIZING OF AND MAKING APPROPRIATION FOR THE STATE TECHNICAL SERVICES ACT OF 1965 FOR NEW HAMPSHIRE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**381:1 Authorization.** Amend RSA 188-A by inserting after section 14 (supp) as inserted by 1965, 186:2 the following new subdivisions:

#### State Technical Services Act of 1965

**188-A:15 Governor, Designated Agency.** The office of the governor is hereby designated as the sole state agency to receive federal funds and

administer state participation in the program authorized by the State Technical Services Act of 1965, Public Law 182, 89th Congress. This office is further established as the designated agency for the state of New Hampshire as defined and required under section 3 of said act.

**188-A:16 Special Fund Established.** There is hereby created in the state treasury a special fund to be known as the state technical services act fund. All monies granted to the state by the United States of America for the programs authorized by said act shall be deposited in this fund and the money shall be continuously available to the New Hampshire designated agency for state technical services for expenditure for the purposes authorized by the appropriate federal agency without lapse or transfer to any other state fund. All monies granted to the state by the United States of America and deposited in this fund shall be accounted for separately but may be commingled with state funds or other income from any appropriate sources allowable under said act. If required by terms of the grant from the United States of America, any unused portions of the grant funds may be returned to the federal government upon request. The state treasurer is hereby designated as custodian of the fund and is liable on his official bond for the faithful performance of his duties in connection with the fund.

**381:2 Appropriation.** There is hereby appropriated to the state technical services act fund for the purpose of implementing the State Technical Act of 1965, for the state of New Hampshire the sum of twenty-eight thousand, two hundred fifty dollars for the fiscal year ending June 30, 1968 and forty-one thousand dollars for the fiscal year ending June 30, 1969. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**381:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 382.

AN ACT RELATIVE TO WINTER MAINTENANCE OF A CLASS III ROAD IN THE  
TOWNS OF COLEBROOK AND STEWARTSTOWN AND A CLASS II  
HIGHWAY IN THE TOWN OF COLEBROOK.

WHEREAS, the department of public works and highways was directed to assume full control of reconstruction and maintenance as a Class III recreational road known as Diamond Pond road in the towns of Colebrook and Stewartstown starting at the northerly end of Class II highway

northerly of Upper Kidderville in Colebrook and running to and ending at Diamond Pond in Stewartstown in accordance with the provisions of RSA 231:6-a, effective June 14, 1961; and

WHEREAS, subsequent to the enactment of RSA 231:6-a rapid development of winter recreational facilities in the immediate area served by said road has resulted in transformation of the area from predominantly summer residence to substantial full year occupancy requiring year around access; now therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**382:1 Winter Road Maintenance in Colebrook and Stewartstown.** The commissioner of public works and highways is hereby authorized to reimburse the towns of Colebrook and Stewartstown at the rate of five hundred dollars a mile for the winter maintenance of 4.33 miles of the class III highway, known as the Diamond Pond road, from the Harvey Swell intersection to its end at Big Diamond Pond, from January first until April first of each year.

**382:2 Winter Maintenance by the State.** When the Class III highway, known as the Diamond Pond road, has been bituminous surfaced and in the opinion of the commissioner of public works and highways the traffic volume warrants winter maintenance by the state he may in his discretion discontinue the reimbursement for winter maintenance of five hundred dollars a mile to the towns of Colebrook and Stewartstown and assume the winter maintenance by the department of public works and highways.

**382:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 383.

AN ACT RELATIVE TO FEES FOR TAKING CLAMS, CLAM WORMS AND OYSTERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**383:1 Clams, Clam Worms and Oysters.** Amend RSA 211:62-a, as inserted by 1959, 194:2 by striking out said section and inserting in place thereof the following: **211:62-a Licenses for Taking.** No person shall at any time take clams, clam worms or oysters unless he is a resident of



the state and he has been duly licensed as provided in this section, provided that a resident of the state may take from any public tidal area which is not specifically posted to the contrary by the fish and game department, not over one quart of clam worms during any one day for his own use without a license therefor and no rules or regulations shall be made by the director of the fish and game department inconsistent with this provision. Any resident of this state shall, upon application to the director of the fish and game department, be granted a license to take clams or clam worms or oysters upon payment of a fee of four dollars and twenty cents for any one of said licenses except resident persons under the age of twelve the fee shall be two dollars and twenty cents. Such licenses shall be issued for the current calendar year. The director of the fish and game department shall make readily available such licenses as are covered by this section through its regular outlets.

**383:2 Payment to Fish and Game Department.** Amend RSA 211:62-b, as inserted by 1961, 186:1 by striking out said section and inserting in place thereof the following: **211:62-b Agents' Fees.** Agents who are authorized to issue licenses under the provisions of section 62-a shall be entitled to retain for each such license the sum of twenty cents and shall remit to the fish and game department the balance of the fee, namely, four dollars and two dollars respectively depending on the age of the applicant.

**383:3 Effective Date.** This act shall take effect January 1, 1968.

[Approved July 3, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 384.

AN ACT TO PROHIBIT THE TAKING OF GRAY SQUIRRELS IN COOS AND  
CARROLL COUNTIES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**384:1 Gray Squirrels.** Amend RSA 208 by inserting after section 20 the following new section: **208:20-a Taking Prohibited in Certain Counties.** Notwithstanding the provisions of section 20 of this chapter, no person shall, at any time, hunt, take, or have in his possession, any gray squirrel, or any part thereof, taken in the counties of Coos and Carroll. Whoever violates a provision of this section shall be fined not more than ten dollars and not more than five dollars additional for each gray squirrel taken or possessed contrary to the provisions hereof.

**384:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 385.

AN ACT TO INCREASE THE PENALTIES FOR MISREPRESENTATION OF AGE AND  
POSSESSION OF ALCOHOLIC BEVERAGES BY MINORS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**385:1 Sale to Minors.** Amend RSA 175:7, as amended by 1957, 291:1, by striking out the words "twenty dollars" in line three and inserting in place thereof the words (fifty dollars) and by striking out the words "fifty dollars" in line four and inserting in place thereof the words (two hundred dollars) so that the section as amended shall read as follows: **175:7 — To Minor Misrepresenting Age.** A minor who falsely represents his age for the purpose of procuring liquor or beverages and who procures such liquor or beverages shall be fined not less than fifty dollars nor more than two hundred dollars.

**385:2 Possession by Minors.** Amend RSA 175:8-a (supp), as inserted by 1959, 157:1, as amended by 1965, 120:1, by striking out the words "fifty dollars" and inserting in place thereof the words (two hundred dollars) so that said section as amended shall read as follows: **175:8-a Unlawful Possession.** A minor who has in his possession any liquor or alcoholic beverage shall be fined not more than two hundred dollars. Any minor convicted of unlawful possession of liquor or alcoholic beverages shall forfeit the same, and it shall be disposed of as the court directs. The proceeds, if any, shall be paid into the treasury of the county wherein the proceedings were determined.

**385:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

**CHAPTER 386.**

## AN ACT RELATING TO FREE PARKING FOR JURORS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**386:1 Free Parking for Jurors.** Amend RSA 500 by inserting after section 26, as amended by 1959, 129:1, and 1967, 62:1 the following new section: **500:26-a Parking for Jurors.** Every juror, while in attendance at court shall be allowed free parking in any city or town where such court is sitting. The clerks of the superior court shall furnish to each juror an identification card for display through the windshield of the juror's car. At the cessation of court the juror shall return his identification card to the clerk of the court. The form, shape and color of said identification card and also the information to be contained thereon is to be approved by the director, division of motor vehicles. No juror shall use any area limited to twelve or fifteen minutes of parking.

**386:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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**CHAPTER 387.**

## AN ACT ENTERING INTO THE MAINE-NEW HAMPSHIRE COMPACT FOR ESTABLISHING A BI-STATE COMMISSION ON OCEANOGRAPHY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**387:1 New Chapter.** Amend RSA by inserting after chapter 12-B (supp) as inserted by 1965, 259:1 the following new chapter:

**Chapter 12-C****Maine-New Hampshire Commission on Oceanography**

**12-C:1 Compact Authorized.** The Maine-New Hampshire Commission on Oceanography is hereby enacted into law and entered into with the State of Maine provided the State of Maine legally joins therein in the form substantially as follows:

**Maine-New Hampshire Commission on Oceanography****Article I. Findings**

Maine and New Hampshire are by virtue of geographic location and other characteristics ocean oriented commercially; the population of both

states contributes substantially to the strength and security of the United States on and under the ocean; one of the largest continental shelf areas of the United States lies off the shores of Maine and New Hampshire; the resources of the Gulf of Maine and the ocean can provide a source of great economic growth; Maine and New Hampshire's educational, industrial, commercial and scientific interests have been mutually pursuing ocean oriented activity; and the increased use of these facilities and resources requires coordination and planning between the States of Maine and New Hampshire. To this end, it is the intent of this compact to establish and provide for a bi-state commission on oceanography and hydrospace.

### **Article II. Purpose**

It is the purpose of this compact to provide, in the States of Maine and New Hampshire, improved facilities and procedures for the expansion, coordination and implementation of the policies, programs, and activities of interstate significance in the Maine-New Hampshire region in the field of oceanography and hydrospace including, but not limited to the physical, social, economic, educational and scientific aspects related directly or indirectly thereto; to study, investigate and plan appropriate activities with respect to the coordination, development, expansion, and implementation of every phase of oceanography and hydrospace; to provide means by which interstate conflicts may be resolved; and to provide procedures for interstate coordination of the interests of all public and private agencies, persons and entities in the fields covered by this compact and to provide an organization to carry out the purposes of this compact.

### **Article III. Creation of Commission**

There is hereby created the Maine-New Hampshire Commission on Oceanography, hereinafter called the commission.

### **Article IV. Membership**

The commission shall consist of six members from each party state to be appointed and to serve, in accordance with and subject to the laws of the state which they represent. The members of the commission shall consist of persons who are representative of the fields of industry, education, commerce, and government.

### **Article V. Functions**

To carry out the purpose of this compact it shall be the responsibility of the commission to prepare studies and plans, and to recommend procedures and sponsor programs to implement, coordinate, develop and expand all activities directly or indirectly related to the fields of oceanography and hydrospace in all areas of Maine and New Hampshire or areas that may affect these states; and these activities may include but are not limited to the following:

- (1) Collection and interpretation of basic data.
- (2) Investigation, planning, and programming (including scheduling) of projects of interstate or regional significance.
- (3) Planning and scheduling of governmental services and programs which would be of assistance to the orderly growth and prosperity of the region, and to the well-being of its population in the fields of oceanography and hydrospace.
- (4) Encouraging of the referral of plans or proposals for projects and programs of interstate or regional significance to the commission.
- (5) Studying and recommending means for the most effective utilization of such federal assistance as may be available on a regional basis or as may have an interstate or regional impact.
- (6) Assisting the party states, or either of them, in cooperative undertakings with the federal government or any agencies thereof.
- (7) Assisting and advising industry, governmental agencies and schools in the development and expansion of programs related to or associated with oceanography or hydrospace.

To avoid duplication of effort and in the interests of economy, the commission shall make use of existing studies, surveys, plans, data, and other materials in the possession of the governmental agencies of the party states and their respective subdivisions or in the possession of other interstate agencies. Each such agency, within available appropriations and if not expressly prevented or limited by law, is hereby authorized to make such materials available to the commission and to otherwise assist it in the performance of its functions. At the request of the commission each such agency is further authorized to provide the commission with information regarding plans and programs affecting the Maine-New Hampshire region so that the commission may have available to it current information with respect thereto.

The commission shall use qualified public and private agencies to make investigations and conduct research, but if it is unable to secure the undertaking of such investigations or original research by a qualified public or private agency, it shall have the power to make its own investigations and to conduct its own research. The commission may make contracts with any public or private agencies or private persons or entities for the undertaking of such investigations or original research within its purview.

The officers and personnel or agencies of the party states, and of any other government or agency whatever, or private citizens, or representatives of private organizations, may serve at the request of the commission upon such advisory committees as the commission may determine to create; and such officers and personnel of any such government or agency, may serve upon its committees without forfeiture of office or employment

and with no loss or diminution in the status, rights and privileges which they otherwise enjoy.

#### **Article VI. Cooperation with the Federal Government and Other Governmental Agencies**

Each party state is hereby authorized to participate in cooperative or joint undertakings with the federal government, any appropriate agency or agencies thereof, or with any interstate agency or agencies. Such participation shall be at the instance of the governor or in such other manner as state laws may provide or authorize. The commission shall facilitate the work of state representatives in any joint interstate or cooperative federal-state undertaking authorized by this Article, and each state shall keep the commission advised of its activities in respect of such undertakings, to the extent that they have interstate or regional significance.

#### **Article VII. Meetings and Voting**

The commission shall meet at least once every ninety days. No action of the commission shall be binding unless taken at a meeting at which a majority of the commission members are present and a majority of the total number of votes on the commission are cast in favor thereof; provided that any action not binding by reason of failure to meet this requirement may be ratified within thirty days by the concurrence in writing of a majority of the commission members.

Any member who does not attend at least one meeting in any six month period shall forfeit his position on the commission.

#### **Article VIII. Finances**

A. The commission shall submit to the governor or designated officer of each party state a budget including a statement of all funds expected to be available to the commission and their sources and, a request for an appropriation to cover that state's share of expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

B. With due regard for such monies and other assistance as may be made available to it, the commission shall be provided with such funds by each of the states participating therein to provide the means of establishing a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the commission.

With due allowance for monies otherwise available, each budget of the commission shall be the responsibility of the party states, to be apportioned equally between them.

C. The commission shall not pledge the credit of either jurisdiction. The commission may meet any of its obligations in whole or in part with funds available to it under Article IX (E) of this compact, provided that

the commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in such manner.

D. The members of the commission shall be paid by the commission their actual expenses incurred and incidental to the performance of their duties, subject to the approval of the commission.

E. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the commission.

F. The accounts of the commission shall be open at any reasonable time for inspection by such agency, representative or representatives of the jurisdictions which appropriate funds to the commission.

#### **Article IX. Administration and Management**

A. The commission may sue and be sued and shall have a seal.

B. The commission shall elect annually, from among its members, a chairman, vice-chairman and treasurer. The chairman and vice-chairman shall not be from the same state. The commission shall appoint an executive director who shall act as secretary, and together with the treasurer, shall be bonded in such amounts as the commission may require.

C. The commission shall appoint and remove or discharge such personnel as may be necessary for the performance of its functions irrespective of any civil service laws or state personnel regulations which might otherwise apply. The commission may establish and maintain, independently by contract or agreement with either of the party states, suitable retirement programs for its employees. Employees of the commission shall be eligible for social security coverage in respect to old age and survivors insurance provided that the commission takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

D. The commission may borrow, accept or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any intergovernmental agency, or from any institution, person, firm, or corporation.

E. The commission may accept for any of its purposes and functions under this compact any and all appropriations, donations, and grants or

money, equipment, supplies, materials and services, conditional or otherwise, from any state or the United States or any subdivision or agency thereof, or intergovernmental agency, or any institution, person, firm or corporation, and may receive, utilize and dispose of the same.

F. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold and convey real and personal property and any interest therein.

G. The commission may adopt, amend and rescind bylaws, rules and regulations for the conduct of its business.

H. The commission shall make and transmit annually, to the legislature and governor of each party state, a report covering the activities of the commission for the preceding year, and embodying such recommendations as may have been adopted by the commission. The commission may issue such additional reports as it may deem desirable.

### **Article X. Other Compacts and Activities**

Nothing in this compact shall be construed to impair, or otherwise affect the jurisdiction of any interstate agency in which either party state participates nor to abridge, impair or otherwise affect the provisions of any compact to which any one or more of the party states may be a party, nor to supersede, diminish or otherwise affect any obligation assumed under any such compact; nor shall anything in this compact be construed to discourage additional interstate compacts by the party states or the establishment of intergovernmental agencies in sub-areas of the region. Nothing in this compact shall be construed to limit the jurisdiction or activities of any participating government, agency, or officer thereof, or any private person or agency.

### **Article XI. Enactment**

This compact shall become effective when entered into and enacted into law by both the state of Maine and the state of New Hampshire.

### **Article XII. Withdrawal**

This compact shall continue in force and remain binding upon each party state until renounced by it. Renunciation of this compact must be preceded by sending three year's notice in writing of intention to withdraw from the compact to the governor of the other state party hereto.

### **Article XIII. Construction and Severability**

The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be unconstitutional or the applicability thereof, to any state, agency, person, or circumstance is held invalid, the constitutionality of the remainder of this



compact and the applicability thereof, to any other state, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed.

**12-C:2 Members of Commission.** The members of the Maine-New Hampshire Commission on Oceanography who represent this state thereon shall be appointed by the governor with the advice and consent of the council. The term of office of each shall be for six years. For the first appointments of the commission, two shall be appointed for two years; two shall be appointed for four years; and two shall be appointed for six years.

**12-C:3 Retirement System.** The Maine-New Hampshire Commission on Oceanography may, by resolution legally adopted in form approved by the board of trustees of the state employees' retirement system, elect to have its New Hampshire officers and employees become eligible to participate in the state employees' retirement system. After such election, said commission shall be known as an employer for the purposes of RSA 100. The board of trustees of the state employees' retirement system shall set a date when the participation of the officers and employees of the commission shall become effective, and then such officers and employees may become members of the state employees' retirement and participate therein.

**12-C:4 — Membership Retirements.** Membership in the state employees' retirement system shall be optional for the New Hampshire officers and employees of said commission who are in its service on the date when participation becomes effective and any such officer or employee who elects to join said system shall be entitled to a prior service certificate covering such periods of previous service rendered to such commission or the state for which the commission is willing to make accrued liability contributions. Membership shall be compulsory for all New Hampshire employees entering the service of the commission after the date participation becomes effective.

**12-C:5 — Reports.** The chief fiscal officer of the commission shall submit to the board of trustees such information and shall cause to be performed, with respect to the New Hampshire employees of said commission who are members of said retirement system, such duties as shall be prescribed by the board of trustees in order to carry out the provisions of the state employees' retirement system.

**12-C:6 Repeal of Compact.** Renunciation, within the meaning of Article XII of the compact shall be accomplished by act of the legislature repealing the compact and by notice in accordance with said article. In the event of such an act of repeal, the governor shall send the necessary notice to the other party state.

**387:2 Appropriation.** For the purposes of the commission on ocean-

ography, as set forth in this act, there is hereby appropriated the sum of fifty thousand dollars for the fiscal year ending June 30, 1968 and there is hereby appropriated the sum of fifty thousand dollars for the fiscal year ending June 30, 1969. The governor is hereby authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**387:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 388.

AN ACT PROHIBITING HUNTING OR DISCHARGE OF FIREARMS WITHIN THREE HUNDRED FEET OF AN OCCUPIED BUILDING.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**388:1 Prohibition.** Amend RSA 207 by inserting after section 3 the following new section: **207:3-a Prohibition.** It is unlawful for a person to hunt or discharge firearms on the land of another without permission of the owner, if the person is within three hundred feet of a permanently occupied building and on the land of the owner of the building. This section applies only to cultivated lands as defined in RSA 572:17. For the purposes of this section, a permanently occupied building means the building occupied as a person's principal place of abode. Whoever violates the provisions of this section shall be fined not more than one hundred dollars.

**388:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 389.

AN ACT RELATIVE TO AN ADDITIONAL APPROPRIATION FOR FEDERAL-AID HIGHWAY CONSTRUCTION.

WHEREAS, federal-aid highway funds are made available to the states almost a year before the beginning of each fiscal year; and

WHEREAS, in the planning and construction of federal-aid highway projects it is an advantage to the state to co-ordinate appropriations in accordance with the federal schedule; and

WHEREAS, an advance appropriation is necessary in order to complete the national system of interstate and defense highways within the time limit established by federal legislation; now therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**389:1 Appropriation.** There is hereby appropriated the sum of twenty-one million dollars for the purpose of adjusting state appropriations to the federal schedule of apportionment of federal-aid highway funds for the completion of the national system of interstate and defense highways within the required time limit. This appropriation shall be a non-lapsing appropriation and shall be expended for the necessary preliminary and/or construction engineering, rights-of-way and construction under the direction of the commissioner of public works and highways.

**389:2 Borrowing Authorized.** In order to provide funds for the state matching portion of the appropriation authorized by section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not exceeding three million dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds and notes shall be deemed a pledge of the full faith and credit of the state.

**389:3 Form.** The governor and council shall determine the form of such notes or bonds, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor. The treasurer may sell such bonds or notes under the direction of the governor and council.

**389:4 Accounts.** The secretary of state shall keep an account of all such bonds or notes countersigned by the governor showing the number and amount of each bond or note, the time of countersigning, the time when payable and the date of delivery to the treasurer. The treasurer shall keep an account of each bond or note, showing the number and amount thereof, the name of the person to whom sold, the amount received for the same, the date of the sale, and the time when payable.

**389:5 Short Term Notes.** Prior to the issuance of the bonds and notes authorized hereunder the treasurer, under the direction of the governor and council, may, for the purposes hereof, borrow money from time to time on short term loans which may be refunded by the issuance of the bonds or notes authorized hereunder; provided that at no time

shall the indebtedness of the state on such short term loans exceed the sum of three million dollars.

**389:6 Payment.** The appropriation made by section 1 hereof shall be a charge upon the highway funds. The principal and interest of bonds or notes issued under the provisions hereof shall be a charge upon the highway funds.

**389:7 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 390.

### AN ACT PROVIDING FOR THE JOINDER OF THIS STATE IN THE PEST CONTROL COMPACT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**390:1 Interstate Compact on Pest Control.** Amend RSA by inserting after chapter 437-A (supp) as inserted by 1965, 349:1 the following new chapter:

#### Chapter 437-B

#### Pest Control Compact

**437-B:1 Compact Enacted.** The Pest Control Compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows:

#### Article I

#### Findings

The party states find that:

(a) In the absence of the higher degree of cooperation among them possible under this compact, the annual loss of approximately seven billion dollars from the depredations of pests is virtually certain to continue, if not to increase.

(b) Because of varying climatic, geographic and economic factors, each state may be affected differently by particular species of pests; but all states share the inability to protect themselves fully against those pests which present serious dangers to them.

(c) The migratory character of pest infestations makes it necessary for states both adjacent to and distant from one another, to complement

each other's activities when faced with conditions of infestation and reinfestation.

(d) While every state is seriously affected by a substantial number of pests, and every state is susceptible of infestation by many species of pests not now causing damage to its crop and plant life and products, the fact that relatively few species of pests present equal danger to or are of interest to all states makes the establishment and operation of an Insurance Fund, from which individual states may obtain financial support for pest control programs of benefit to them in other states and to which they may contribute in accordance with their relative interests, the most equitable means of financing cooperative pests eradication and control programs.

## **Article II**

### **Definitions**

As used in this compact, unless the context clearly requires a different construction:

(a) "State" means a state, territory, possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(b) "Requesting state" means a state which invokes the procedures of the compact to secure the undertaking or intensification of measures to control or eradicate one or more pests within one or more other states.

(c) "Responding state" means a state requested to undertake or intensify the measures referred to in subdivision (b) of this Article.

(d) "Pest" means any invertebrate animal, pathogen, parasitic plant or similar or allied organism which can cause disease or damage in any crops, trees, shrubs, grasses or other plants of substantial value.

(e) "Insurance Fund" means the Pest Control Insurance Fund established pursuant to this compact.

(f) "Governing Board" means the administrators of this compact representing all of the party states when such administrators are acting as a body in pursuance of authority vested in them by this compact.

(g) "Executive Committee" means the committee established pursuant to Article V (e) of this compact.

## **Article III**

### **The Insurance Fund**

There is hereby established the Pest Control Insurance Fund for the purpose of financing other than normal pest control operations which states may be called upon to engage in pursuant to this compact. The insurance fund shall contain moneys appropriated to it by the party states and any donations and grants accepted by it. All appropriations, except as conditioned by the rights and obligations of party states expressly set forth in this compact, shall be unconditional and may not

be restricted by the appropriating state to use in the control of any specified pest or pests. Donations and grants may be conditional or unconditional, provided that the insurance fund shall not accept any donation or grant whose terms are inconsistent with any provision of this compact.

#### **Article IV** **The Insurance Fund, Internal** **Operations and Management**

(a) The insurance fund shall be administered by a governing board and executive committee as hereinafter provided. The actions of the governing board and executive committee pursuant to this compact shall be deemed the actions of the insurance fund.

(b) The members of the governing board shall be entitled to one vote each on such board. No action of the governing board shall be binding unless taken at a meeting at which a majority of the total number of votes on the governing board are cast in favor thereof. Action of the governing board shall be only at a meeting at which a majority of the members are present.

(c) The insurance fund shall have a seal which may be employed as an official symbol and which may be affixed to documents and otherwise used as the governing board may provide.

(d) The governing board shall elect annually, from among its members, a chairman, a vice chairman, a secretary and a treasurer. The chairman may not succeed himself. The governing board may appoint an executive director and fix his duties and his compensation, if any. Such executive director shall serve at the pleasure of the governing board. The governing board shall make provision for the bonding of such of the officers and employees of the insurance fund as may be appropriate.

(e) Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director, or if there be no executive director, the chairman, in accordance with such procedures as the by-laws may provide, shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the insurance fund and shall fix the duties and compensation of such personnel. The governing board in its by-laws shall provide for the personnel policies and programs of the insurance fund.

(f) The insurance fund may borrow, accept or contract for the services of personnel from any state, the United States, or any other governmental agency, or from any person, firm, association or corporation.

(g) The insurance fund may accept for any of its purposes and functions under this compact any and all donations, and grants of money,

equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or from any person, firm, association or corporation, and may receive, utilize and dispose of the same. Any donation, gift or grant accepted by the governing board pursuant to this paragraph or services borrowed pursuant to paragraph (f) of this Article shall be reported in the annual report of the insurance fund. Such report shall include the nature, amount and conditions, if any, of the donation, gift, grant or services borrowed and the identity of the donor or lender.

(h) The governing board shall adopt by-laws for the conduct of the business of the insurance fund and shall have the power to amend and rescind these by-laws. The insurance fund shall publish its by-laws in convenient form and shall file a copy thereof and a copy of any amendment thereto with the appropriate agency or officer in each of the party states.

(i) The insurance fund annually shall make to the governor and legislature of each party state a report covering its activities for the preceding year. The insurance fund may make such additional reports as it may deem desirable.

(j) In addition to the powers and duties specifically authorized and imposed, the insurance fund may do such other things as are necessary and incidental to the conduct of its affairs pursuant to this compact.

## Article V

### Compact and Insurance Fund Administration

(a) In each party state there shall be a compact administrator, who shall be selected and serve in such manner as the laws of his state may provide, and who shall:

1. Assist in the coordination of activities pursuant to the compact in his state; and
2. Represent his state on the governing board of the insurance fund.

(b) If the laws of the United States specifically so provide, or if administrative provision is made therefor within the federal government, the United States may be represented on the governing board of the insurance fund by not to exceed three representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, but no such representative shall have a vote on the governing board or on the executive committee thereof.

(c) The governing board shall meet at least once each year for the purpose of determining policies and procedures in the administration of the insurance fund and, consistent with the provisions of the compact, supervising and giving direction to the expenditure of moneys from the insurance fund. Additional meetings of the governing board shall be

held on call of the chairman, the executive committee, or a majority of the membership of the governing board.

(d) At such times as it may be meeting, the governing board shall pass upon applications for assistance from the insurance fund and authorize disbursements therefrom. When the governing board is not in session, the executive committee thereof shall act as agent of the governing board, with full authority to act for it in passing upon such applications.

(e) The executive committee shall be composed of the chairman of the governing board and four additional members of the governing board chosen by it so that there shall be one member representing each of four geographic groupings of party states. The governing board shall make such geographic groupings. If there is representation of the United States on the governing board, one such representative may meet with the executive committee. The chairman of the governing board shall be chairman of the executive committee. No action of the executive committee shall be binding unless taken at a meeting at which at least four members of such committee are present and vote in favor thereof. Necessary expenses of each of the five members of the executive committee incurred in attending meetings of such committee, when not held at the same time and place as a meeting of the governing board, shall be charges against the insurance fund.

## Article VI

### Assistance and Reimbursement

(a) Each party state pledges to each other party state that it will employ its best efforts to eradicate, or control within the strictest practicable limits, any and all pests. It is recognized that performance of this responsibility involves:

1. The maintenance of pest control and eradication activities of interstate significance by a party state at a level that would be reasonable for its protection in the absence of this compact.

2. The meeting of emergency outbreaks or infestations of interstate significance to no less an extent than would have been done in the absence of this compact.

(b) Whenever a party state is threatened by a pest not present within its borders but present within another party state, or whenever a party state is undertaking or engaged in activities for the control or eradication of a pest or pests, and finds that such activities are or would be impracticable or substantially more difficult of success by reason of failure of another party state to cope with infestation or threatened infestation, that state may request the governing board to authorize expenditures from the insurance fund for eradication or control measures to be taken by one or more of such other party states at a level sufficient to prevent,



or to reduce to the greatest practicable extent, infestation or reinfestation of the requesting state. Upon such authorization the responding state or states shall take or increase such eradication or control measures as may be warranted. A responding state shall use moneys made available from the insurance fund expeditiously and efficiently to assist in affording the protection requested.

(c) In order to apply for expenditures from the insurance fund, a requesting state shall submit the following in writing:

1. A detailed statement of the circumstances which occasion the request for the invoking of the compact.

2. Evidence that the pest on account of whose eradication or control assistance is requested constitutes a danger to an agricultural or forest crop, product, tree, shrub, grass or other plant having a substantial value to the requesting state.

3. A statement of the extent of the present and projected program of the requesting state and its subdivisions, including full information as to the legal authority for the conduct of such program or programs and the expenditures being made or budgeted therefor, in connection with the eradication, control, or prevention of introduction of the pest concerned.

4. Proof that the expenditures being made or budgeted as detailed in item 3 do not constitute a reduction of the effort for the control or eradication of the pest concerned or, if there is a reduction, the reasons why the level of program detailed in item 3 constitutes a normal level of pest control activity.

5. A declaration as to whether, to the best of its knowledge and belief, the conditions which in its view occasion the invoking of the compact in the particular instance can be abated by a program undertaken with the aid of moneys from the insurance fund in one year or less, or whether the request is for an installment in a program which is likely to continue for a longer period of time.

6. Such other information as the governing board may require consistent with the provisions of this compact.

(d) The governing board or executive committee shall give due notice of any meeting at which an application for assistance from the insurance fund is to be considered. Such notice shall be given to the compact administrator of each party state and to such other officers and agencies as may be designated by the laws of the party states. The requesting state and any other party state shall be entitled to be represented and present evidence and argument at such meeting.

(e) Upon the submission as required by paragraph (c) of this Article and such other information as it may have or acquire, and upon determining that an expenditure of funds is within the purposes of this

compact and justified thereby, the governing board or executive committee shall authorize support of the program. The governing board or the executive committee may meet at any time or place for the purpose of receiving and considering an application. Any and all determinations of the governing board or executive committee, with respect to an application, together with the reasons therefor shall be recorded and subscribed in such manner as to show and preserve the votes of the individual members thereof.

(f) A requesting state which is dissatisfied with a determination of the executive committee shall upon notice in writing given within twenty days of the determination with which it is dissatisfied, be entitled to receive a review thereof at the next meeting of the governing board. Determinations of the executive committee shall be reviewable only by the governing board at one of its regular meetings, or at a special meeting held in such manner as the governing board may authorize.

(g) Responding states required to undertake or increase measures pursuant to this compact may receive moneys from the insurance fund, either at the time or times when such state incurs expenditures on account of such measures, or as reimbursement for expenses incurred and chargeable to the insurance fund. The governing board shall adopt and, from time to time, may amend or revise procedures for submission of claims upon it and for payment thereof.

(h) Before authorizing the expenditure of moneys from the insurance fund pursuant to an application of a requesting state, the insurance fund shall ascertain the extent and nature of any timely assistance or participation which may be available from the federal government and shall request the appropriate agency or agencies of the federal government for such assistance and participation.

(i) The insurance fund may negotiate and execute a memorandum of understanding or other appropriate instrument defining the extent and degree of assistance or participation between and among the insurance fund, cooperating federal agencies, states and any other entities concerned.

## Article VII

### Advisory and Technical Committees

The governing board may establish advisory and technical committees composed of state, local and federal officials, and private persons to advise it with respect to any one or more of its functions. Any such advisory or technical committee, or any member or members thereof may meet with and participate in its deliberations. Upon request of the governing board or executive committee an advisory or technical committee may furnish information and recommendations with respect to any application for assistance from the insurance fund being considered

by such board or committee and the board or committee may receive and consider the same; provided that any participant in a meeting of the governing board or executive committee held pursuant to Article VI (d) of the compact shall be entitled to know the substance of any such information and recommendations, at the time of the meeting if made prior thereto or as a part thereof or, if made thereafter, no later than the time at which the governing board or executive committee makes its disposition of the application.

### **Article VIII**

#### **Relations with Nonparty Jurisdictions**

(a) A party state may make application for assistance from the insurance fund in respect of a pest in a nonparty state. Such application shall be considered and disposed of by the governing board or executive committee in the same manner as an application with respect to a pest within a party state, except as provided in this Article.

(b) At or in connection with any meeting of the governing board or executive committee held pursuant to Article VI (d) of this compact a nonparty state shall be entitled to appear, participate, and receive information only to such extent as the governing board or executive committee may provide. A nonparty state shall not be entitled to review of any determination made by the executive committee.

(c) The governing board or executive committee shall authorize expenditures from the insurance fund to be made in a nonparty state only after determining that the conditions in such state and the value of such expenditures to the party states as whole justify them. The governing board or executive committee may set any conditions which it deems appropriate with respect to the expenditure of moneys from the insurance fund in a nonparty state and may enter into such agreement or agreements with nonparty states and other jurisdictions or entities as it may deem necessary or appropriate to protect the interests of the insurance fund with respect to expenditures and activities outside of party states.

### **Article IX**

#### **Finance**

(a) The insurance fund shall submit to the executive head or designated officer or officers of each party state a budget for the insurance fund for such period as may be required by the laws of that party state for presentation to the legislature thereof.

(b) Each of the budgets shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. The requests for appropriations shall be apportioned among the party states as follows: one-tenth of the total budget in equal shares and the

remainder in proportion to the value of agricultural and forest crops and products, excluding animals and animal products, produced in each party state. In determining the value of such crops and products the insurance fund may employ such source or sources of information as in its judgment present the most equitable and accurate comparisons among the party states. Each of the budgets and requests for appropriations shall indicate the source or sources used in obtaining information concerning the value of products.

(c) The financial assets of the insurance fund shall be maintained in two accounts to be designated respectively as the "Operating Account" and the "Claims Account." The operating account shall consist only of those assets necessary for the administration of the insurance fund during the next ensuing two year period. The claims account shall contain all moneys not included in the operating account and shall not exceed the amount reasonably estimated to be sufficient to pay all legitimate claims on the insurance fund for a period of three years. At any time when the claims account has reached its maximum limit or would reach its maximum limit by the addition of moneys requested for appropriation by the party states, the governing board shall reduce its budget requests on a pro-rata basis in such manner as to keep the claims account within such maximum limit. Any moneys in the claims account by virtue of conditional donations, grants or gifts shall be included in calculations made pursuant to this paragraph only to the extent that such moneys are available to meet demands arising out of claims.

(d) The insurance fund shall not pledge the credit of any party state. The insurance fund may meet any of its obligations in whole or in part with moneys available to it under Article IV (g) of this compact, provided that the governing board takes specific action setting aside such moneys prior to incurring any obligation to be met in whole or in part in such manner. Except where the insurance fund makes use of moneys available to it under Article IV (g) hereof, the insurance fund shall not incur any obligation prior to the allotment of moneys by the party states adequate to meet the same.

(e) The insurance fund shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the insurance fund shall be subject to the audit and accounting procedures established under its by-laws. However, all receipts and disbursements of funds handled by the insurance fund shall be audited yearly by a certified or licensed public accountant and a report of the audit shall be included in and become part of the annual report of the insurance fund.

(f) The accounts of the insurance fund shall be open at any reasonable time for inspection by duly authorized officers of the party states and by any persons authorized by the insurance fund.

## Article X

### Entry Into Force and Withdrawal

(a) This compact shall enter into force when enacted into law by any five or more states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof.

(b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until two years after the executive head of the withdrawing state has given notice in writing of the withdrawal to the executive heads of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

## Article XI

### Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

**437-B:2 Cooperation.** Consistent with law and within available appropriations the departments, agencies and officers of this state may cooperate with the insurance fund established by the pest control compact.

**437-B:3 Filing of By-laws.** Pursuant to the provisions of Article IV (h) of the compact, copies of by-laws and amendments shall be filed with the secretary of state.

**437-B:4 Compact Administrator.** The compact administrator for this state shall be the commissioner of agriculture. The duties of the compact administrator become a regular part of the duties of his office, and his expenses as compact administrator become a charge upon funds of the department of agriculture.

**437-B:5 Application for Assistance.** Within the meaning of Article VI (b) or VIII (a) a request or application for assistance from the insurance fund may be made by the governor whenever in his judgment the conditions qualifying this state for such assistance exist, and it would be in the best interest of this state to make such request.

**437-B:6 Expenditures.** The department, agency or officer spending or becoming liable for an expenditure on account of a control or eradication program undertaken or intensified pursuant to the compact shall have credited to his account in the state treasury the amount or amounts of any payments made to this state to defray the cost of such a program, or any part thereof, or as reimbursement thereof.

**437-B:7 Definitions of Terms.** As used in the compact with reference to this state the term "executive head" means the governor.

**390:2 Appropriation.** To provide funds for this state's contribution to the insurance fund of the pest control compact the sum of two thousand nine hundred dollars is appropriated for the fiscal year ending June 30, 1968, and as much money is appropriated for the state's contribution for the fiscal year ending June 30, 1969 as is called for by the terms of the compact, but not to exceed the sum of two thousand nine hundred dollars.

**390:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 391.

### AN ACT PROVIDING ADDITIONAL (COST OF LIVING) RETIREMENT ALLOWANCE FOR RETIRED STATE EMPLOYEES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**391:1 State Employees' Retirement System.** Amend RSA 100 by inserting after section 20-d as inserted by an act of the 1967 legislature relative to the New Hampshire retirement system and three of its predecessor systems the following new section: **20-e Supplementary Cost of Living Allowances.** Any state employee beneficiary who is in receipt of a retirement allowance on January 1, 1968 and who retired under the state employees' retirement system as established by 1945, 183, with amendments thereto, shall beginning with the month of January, 1968 and monthly thereafter but not beyond the month of December, 1968 have his allowance increased by 3% and such allowance will be in addition to any allowances provided under RSA 100:20-b. If the beneficiary of a retired member who retired prior to January 1, 1968 and elected an option providing for a survivor annuity is in receipt of such survivor annuity on January 1, 1968, the beneficiary shall be paid beginning with the month of January, 1968 and monthly thereafter but not beyond the

month of December, 1968, an increased retirement allowance which shall be the same proportion of the increased retirement allowance the member would have been entitled to receive, if any, prior to any optional modification, had he been living on January 1, 1968, as the survivor annuity bears to the full allowance prior to optional modification by such former retired member at retirement. When the increased retirement allowance of any one beneficiary shall be ascertained under the terms of the above-mentioned provisions, the difference between said increased retirement allowance and the retirement allowance said beneficiary is then receiving as of December 31, 1967 shall be multiplied by two and the said sum shall be paid to said beneficiary in twelve monthly installments during the period from January 1, 1968 to December 31, 1968. Nothing herein shall be construed as affecting the regular retirement allowance of any beneficiary, or any other supplementary allowance of any beneficiary. The payment of the additional retirement allowance payable hereunder shall be contingent on the payment by the state of the additional amounts required to meet the current disbursements of such additional retirement allowances.

**391:2 Appropriation.** To provide funds for the payment of the supplemental allowances provided herein, the sum of twenty-eight thousand eight hundred dollars is hereby appropriated for the fiscal year ending June 30, 1968, to be expended between January 1, 1968 and June 30, 1968 and the sum of twenty-eight thousand eight hundred dollars is hereby appropriated for the fiscal year ending June 30, 1969, to be expended between July 1, 1968 and December 31, 1968. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**391:3 Effective Date.** This act shall take effect January 1, 1968.

[Approved July 3, 1967.]

[Effective date January 1, 1968.]

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## CHAPTER 392.

AN ACT PROVIDING FOR AREA INDUSTRIAL AGENTS IN THE INDUSTRIAL DEVELOPMENT SECTION OF THE DIVISION OF ECONOMIC DEVELOPMENT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**392:1 Area Industrial Agents.** Amend RSA 12-A:13 (supp) as inserted by 1963, 291:1 by striking out the section and inserting in place thereof the following: **12-A:13 Northern County Area Industrial Agent.** A special position shall be provided, in the office of industrial develop-

ment of the division of economic development of the department of resources and economic development, to be known as area industrial agent for the counties of Coos, Grafton, and Carroll. The job classification and description of such area industrial agent shall be identical to that now in force in the department of personnel for senior industrial agent. Said agent shall be appointed by the governor and council, upon the recommendation of the state industrial director, and shall, from time to time, file a written report with them concerning his activities. He shall be trained in the department of resources and economic development, under the supervision of the state industrial director. He shall maintain his residence in one of said three counties and his duties shall be primarily concerned with, but not limited to, assisting the political subdivisions of the state, regional development organizations or groups, and individuals to maintain and expand existing industries and to encourage, assist, and aid new industries to establish operations in said Coos, Grafton and Carroll counties, and his efforts shall be directed to the economic development of said three counties.

**392:2 Agents-at-Large.** Amend RSA 12-A by inserting after section 15 (supp) as inserted by an act passed at the 1967 session of the general court, relative to recreational package plans, the following new section: **12-A:16 Area Industrial Agents-at-Large.** There shall be two area industrial agents-at-large in the office of industrial development of the division of economic development of the department of resources and economic development in addition to the area industrial agent provided by section 13 of this chapter. Area industrial agents-at-large shall be appointed by the governor and council, upon the recommendation of the state industrial director. They shall be trained in the department of resources and economic development, under the supervision of the state industrial director. The duties of said agents shall be primarily concerned with, but not limited to, assisting the political subdivisions of the state, regional development organizations or groups, and individuals to maintain and expand existing industries and trade. Agents-at-large shall work in those areas of the state which have the most need for industrial growth.

**392:3 Repeal.** RSA 12-A:14 (supp) as inserted by 1963, 291:1, relative to industrial agent for areas of unemployment, is hereby repealed.

**392:4 Industrial Agent for Areas of Unemployment to Continue in Office.**

The industrial agent for areas of unemployment of the office of industrial development, department of resources and economic development, on the effective date of this act shall continue in office as one of the area industrial agents-at-large.

**392:5 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date July 1, 1967.]



**CHAPTER 393.**

AN ACT RELATIVE TO THE FINANCING OF THE CONSTRUCTION OF A CONTINUING EDUCATION CENTER AND A BUILDING TO HOUSE THE WHITTEMORE SCHOOL OF BUSINESS AND ECONOMICS AT THE UNIVERSITY OF NEW HAMPSHIRE TO BE LIQUIDATED FROM INCOME.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**393:1 Appropriation.** The sum of two million dollars is hereby appropriated for the purpose of assisting in the financing of the construction, furnishing, and equipping a continuing education center and a building to house the Whittemore School of Business and Economics at the University of New Hampshire.

**393:2 Availability of Appropriation.** This appropriation is available for any and all costs incident to the erection, furnishing, and equipping of these facilities including the necessary extension of utilities, and includes the cost of the services of architects, engineers, and other consultants of such kind and capacity as the university board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines, and includes the cost of furnishing and equipping the facilities with moveable equipment and furnishings not affixed to the building, and which are not listed in the specifications approved for the implementation of the construction plans. These moneys shall be spent under the direction of the university board of trustees.

**393:3 Competitive Bids.** All contracts for the construction of all or any part of the buildings or facilities shall be let only after competitive sealed bids have been received, and only after an advertisement calling for the bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, or in a trade journal known to be circulated among the contractors from whom bids will be sought within the State of New Hampshire or elsewhere in the area. The first publication of the advertisement shall be made not less than thirty days prior to the date the bids will be received.

**393:4 Rejection of Low Bids.** If, in the judgment of the board of trustees of the university, just cause exists indicating the lowest bid should be rejected, then the contract may be awarded to the next lowest bidder, or if the next lowest bid should be rejected, the contract may be awarded to the third lowest bidder.

**393:5 Rejection of All Bids.** The board of trustees of the university has the right to reject any and all bids and, if the lowest bid is in excess of the appropriation, the board has the right to negotiate with the low bidder or with the three lowest bidders for a contract for the construction upon terms considered most advantageous to the university. If only one

bid is received, the board of trustees may negotiate a contract for the construction upon terms considered most advantageous to the university. Any authorization contained in this act which is a variance with the requirements of applicable federal law and regulations shall be controlled by the terms of the federal law and regulations.

**393:6 Borrowing.** To provide funds for the appropriation made in section 1 of this act, the board of trustees of the university is hereby authorized to request the governor and council to borrow upon the credit of the state a sum not exceeding two million dollars.

**393:7 State Bonds or Notes.** The governor, upon receipt of a request from the board of trustees of the university, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding two million dollars for the purpose of carrying into effect the provisions of this act, and for that purpose may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council. The maturity dates of the bonds shall be determined by the governor and council, but in no case shall they be later than six years from the date of issue. The bonds shall be in such form and denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date of maturity. The state treasurer shall keep an account of each bond showing the number of the bond, the name of the person to whom it is sold, the amount received from the sale of the bond, the date of the sale, and the date of maturity.

**393:8 Short Term Notes.** Prior to the issuance of the bonds under this act, the state treasurer, with the approval of the governor and council, may for the purposes hereof borrow money from time to time on short term loans which may be refunded by the issuance of bonds under this act. However, at no one time may the indebtedness of the state on the short term loans provided by this section exceed the sum of two million dollars.

**393:9 Sale of Bonds or Notes.** All notes or bonds, except short term loans, issued under the provisions of this act shall be negotiated and sold by the treasurer by direction of the governor and council as they consider to be most advantageous to the state. The proceeds from the sale of the bonds shall be held by the state treasurer and paid out by him upon warrants drawn by the governor for the purpose of this act only and the governor, with the advice and consent of the council, shall draw his warrant for the payments from the funds provided by this act of all sums ex-

pended or due for the purposes authorized in this act. All interest from the bonds is exempt from taxation within the state.

**393:10 Liquidation.** The bonds issued under this authorization shall be liquidated by gifts, grants or contributions from individuals, corporations or foundations paid to the university for this purpose. The proceeds of such gifts, grants or contributions shall be kept in a separate fund and shall be used for the payment of the annual interest on the money borrowed by the state for the purposes of section 1 of this act, and for the payments of principal as they become due until such time as all obligations incurred under the provisions of section 1 of this act have been met.

**393:11 Effective Date.** This act shall take effect sixty days after its passage.  
[Approved July 3, 1967.]  
[Effective date September 1, 1967.]

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**CHAPTER 394.**

AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**394:1 Appropriation.** The sum of seven million, seventy-nine thousand, nine hundred sixty dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, and equipment and furnishings as are necessary to complete the same.

The appropriations for the projects are as follows:

I. Aeronautics commission:	
Laconia municipal airport, Laconia:	
Reconstruction of old runway	\$52,000*
Skyhaven airport, Rochester	150,000**
Manchester airport:	
Clearing obstructions	12,500*
Nashua airport:	
Extension of runway	75,000*
Keene airport:	
Extension of runway	92,500*
	<hr/>
	\$382,000

\*This appropriation shall be for the development and improvement

of air navigation facilities under the following conditions: (a) if used to augment local funds, to be spent in the ratio of twenty-five per cent state funds to twenty-five per cent local funds for the development and improvement of air navigation facilities with federal aid under the federal aid airport program; or (b) if used to augment local funds, to be spent in the ratio of fifty per cent state funds to fifty per cent local funds on joint state and local projects which do not qualify for federal aid, subject to determination by the commission that such a project satisfies a public need.

\*\*This appropriation may be expended in conjunction with federal matching funds only.

## II. Education:

### Vocational institute:

Site — City of Nashua	\$200,000
Site development	75,000
Utility connections	25,000
Building	1,150,000
Equipment	600,000
Consultant	77,500
Contingencies	50,000
	<hr/>
	2,177,500

## III. Health and welfare:

### Public health:

Consultant — office and laboratory building plans	35,000
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### New Hampshire hospital:

Child treatment facility	\$850,000
Sprinkler systems	435,000
Electroencephalograph	10,500
Tobey building floors	50,000
Laundry conditioner	13,500
Hot water tank	8,000
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	1,367,000

### Laconia state school:

Intensive care facility	\$775,000
Road reconstruction	25,000
Purchase and installation of harvestore process hay storage, including related equipment	36,800
	<hr/>

836,800

### Glenclyff sanatorium:

Incinerator	15,000
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IV. New Hampshire industrial school:		
Sprinkler systems		25,000
V. Judicial:		
Supreme Court:		
Land and building		1,200,000
VI. Resources and economic development:		
Parks division:		
Development of wells and sewage	\$30,000	
Land acquisition	50,000	
Improvements — existing parks system	207,500	
Development of plans	100,000	
Pawtuckaway expansion	200,000	
	<hr/>	
	\$587,500	
Less estimated federal funds	278,750	
	<hr/>	
		308,750
Strawbery Banke — First state house		35,000
Beach sweeper		25,000
VII. Water resources:		
Bow Lake	\$17,000	
Milton Three Ponds	40,000	
Souhegan, all sites	60,010	
Baker River	76,000	
Cold River	12,400	
Baker River, recreation sites	62,500	
Ashland Dam	15,000	
	<hr/>	
		282,910
VIII. Soldiers' home:		
Nursing facility unit	\$580,000	
Less estimated federal funds	290,000	
	<hr/>	
		290,000
IX. Administration and control:		
For renovation of old Post Office and necessary related renovation in State House and Annex including the expense of moving departments and construction of a tunnel between the State House and Post Office		
		100,000
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Total — section 1		\$7,079,960
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394:2 The sum of four million, five hundred forty-four thousand, five hundred dollars is hereby appropriated for the purpose of constructing, furnishing and equipping new educational facilities and alterations and additions to certain present buildings, services and utilities at the University of New Hampshire, as follows:

I. Durham campus:

Alterations and additions to Nesmith Hall:

Construction of building	\$979,000
Contingency	80,000
Architects' fees	27,000
Equipment	10,000
Site investigation, clerk of works, etc.	16,000
UNH overhead	7,500

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\$1,119,500

Chemistry building, phase II (addition to Parsons Hall):

Building construction:

Site work	\$14,600
Ledge removal	5,000
Ext. utilities, drainage	7,000
Structures	988,135
Mechanical	589,000
Electrical	200,734
Equipment	369,300

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\$2,173,769

Clerk of works	10,000
UNH overhead	10,000
Landscaping	1,500
Misc. — trips	5,000
Borings and tests	10,000
Equipment — not fixed	95,520
Walks and drives	1,000
Outside lighting	1,000
Architects' fee	32,176
Contingency	110,035

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2,450,000

Central receiving building and warehouse:

Construction	\$100,000
Architects' fee	2,000
Clerk of works	3,500
UNH overhead	3,000
Site investigation, testing, etc.	1,500

Contingency	9,000	
Equipment	6,000	
	<hr/>	125,000
Total Durham campus		<hr/> \$3,694,500 <hr/>

## II. Plymouth state college:

Acquisition of Plymouth school district property (substitute for new administration building)*	\$600,000
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\*If Plymouth school district on or before June 30, 1969, issues bonds for the construction of new school buildings, to replace buildings being transferred to UNH, any unexpended amounts of this appropriation shall be non-lapsing.

III. Land acquisition	250,000
Total — section 2	<hr/> \$4,544,500 <hr/>

**394:3** The sum of nine million eight hundred fifty-five thousand nine hundred fifteen dollars is hereby appropriated for the purpose of constructing, furnishing and equipping housing and other student services facilities at the University of New Hampshire. The buildings authorized by this appropriation are as follows:

## Durham campus:

Residence halls to house approximately 450 students	\$3,161,500
Addition to Memorial Union building	1,334,000
New Dining Commons	1,303,000
	<hr/>
	\$5,798,500

## Keene state college campus:

Residence halls to house approximately 300 students	\$2,414,180
Alterations and additions to Spaulding gym- nasium to convert to use as student union	300,000
	<hr/>
	2,714,180

## Plymouth state college campus:

Residence hall to house approximately 200 students	1,343,235
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Total — section 3	<hr/> \$9,855,915 <hr/>

394:4 The sum of three hundred thousand dollars is hereby appropriated for the purpose of purchasing library books:

Durham campus library	\$150,000
Keene campus library	75,000
Plymouth campus library	75,000
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Total — section 4	\$300,000
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394:5 **Expenditures.** The appropriation made for the purposes mentioned in section 1 and the sums available for those projects shall be expended by the trustees, commission, commissioner or department head of the institutions and departments referred to herein, provided that all contracts for projects and plans and specifications therefore, shall be awarded in accordance with the provisions of RSA 228.

394:6 **Expenditures.** The appropriations made for the purposes mentioned in sections 2, 3 and 4 and the sums available for those projects shall be expended by the trustees of the university of New Hampshire. All contracts for the construction of all or any part of said building or facilities shall be let only after competitive sealed bids have been received and only after an advertisement calling for such bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire or in a trade journal known to be circulated among the contractors from whom bids will be sought with the state of New Hampshire or elsewhere in the area. The first publication of such advertisement shall be not less than thirty days prior to the date the bids will be received.

6(a) **Availability of appropriation.** The appropriations made in sections 2 and 3 are available for all costs incident to the erection, furnishing and equipping of these facilities including the necessary extension of utilities, and includes the cost of the services of architects, engineers, and other consultants of such kind and capacity as the University Board of Trustees may, in its discretion, wish to employ on such terms and conditions as the Board determines, and include the cost of furnishing and equipping the facilities with movable equipment and furnishings not affixed to the buildings, and which are not listed in the specifications approved for implementation of the construction plans. These monies shall be spent under the direction of the University Board of Trustees.

6(b) **Rejection of low bids.** If, in the judgment of the Trustees of the University, just cause exists indicating the lowest bid should be rejected, then the contract may be awarded to the next lowest bidder, or if the next lowest bid should be rejected, the contract may be awarded to the third lowest bidder.

6(c) **Rejection of all bids.** The Board of Trustees of the University



has the right to reject any and all bids and, if the lowest bid is in excess of the appropriation, the Board has the right to negotiate with the low bidder or with the three lowest bidders for a contract for the construction upon terms considered most advantageous to the University. If only one bid is received, the Board of Trustees may negotiate a contract for the construction on terms considered most advantageous to the University and to the state. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of the federal law and regulations.

**394:7 Land Acquisition.** Any land acquired under the appropriations made in section 1, except such land, if any, as may be acquired under the appropriation for water resources board, shall be purchased by the commissioner of public works and highways, with the approval of the governor and council.

**394:8 Bonds Authorized.** To provide funds for the appropriations made in sections 1, 2 and 3 of this act the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of twenty-one million, seven hundred eighty thousand, three hundred seventy-five dollars and for said purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

**394:9 Notes authorized.** To provide funds for the appropriations made in section 4 of this act the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of three hundred thousand dollars and for said purpose may issue notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The term of such notes shall not exceed three years.

**394:10 Payments.** The payment of principal and interest on bonds and notes issued for the projects in sections 1, 2, 3 and 4 shall be made when due from the general funds of the state.

**394:11 Liquidation.** The state treasurer is authorized to deduct from the fund accruing to the university under RSA 187:24, or appropriation in lieu thereof, for each fiscal year such sums as may be necessary to meet interest and principal payments in accordance with the terms and conditions of the bonds or notes issued for the purposes of sections 2, 3 and 4 hereof.

11(a) The Trustees of the University of New Hampshire are authorized to maintain the facilities constructed under section 3 of this act and to collect rents, and other income therefrom. The income from all residence halls, dining halls and student unions shall each be maintained in a separate fund for each division of the university. From each such fund shall be paid a proportionate part of the annual interest on the state bor-

rowing for the purpose of section 3 of this act and the proportionate payment of installments of principal as the same become due until such time as all obligations incurred under the provisions of section 3 of this act have been met and thereafter said property shall become a part of the university property. All operating expenses of the residence halls and dining hall constructed under this act at the Durham campus shall be paid from the separate fund so established.

**394:12 Powers of Governor and Council.** The governor and council are hereby authorized and empowered:

I. To establish the priority of undertaking any projects hereinbefore enumerated in section 1.

II. To cooperate with and enter into such agreements with the federal government or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

III. To accept any federal funds which are or become available for any project under section 1 beyond the estimated amounts. Such funds shall reduce appropriations and the bond authorizations made under these sections accordingly.

**394:13 Transfers.** The individual project appropriation, as provided in sections 1, 2, 3 and 4 shall not be transferred or expended for any other purpose; provided however, that the governor and council may transfer any balance remaining after completion of any individual project to other projects within the same section.

**394:14 Transfers.** Amend 1965, 281:18 by striking out the same and inserting

**281:18 Transfers.** The individual project appropriations as provided in sections 1, 1-A, 2, 3, 4, 5 and 22 shall not be transferred or expended for any other purpose; provided however, that the governor and council may transfer any balance remaining after completion of any individual project to other projects within the same section.

**394:15 Appropriation Extension.** The appropriation for the water resources board as provided by Chapter 281, Laws of 1965, section 1 shall be available for expenditure until June 30, 1969.

**394:16** Amend Laws 1965, 281:2 by striking out the same and inserting in place thereof the following:

**281:2** The sum of two million dollars is appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are enumerated herein.

## Expansion and development of Echo lake-Cathedral ledge state park:

Park facilities	\$ 528,000
Administration facility	115,000
Utilities	380,000
Dam and spillway	800,000

Total construction, including engineering and contingencies	\$1,823,000
Bathing area and picnic sites, including additional parking	42,000

Total construction	\$1,865,000
Land acquisition	135,000

Total project cost	\$2,000,000
Less federal Land and Water Conservation Fund contributions	1,000,000

Net appropriation \$1,000,000

The development of Echo lake-Cathedral ledge state park is to conform basically with the economic feasibility study made by the state department of public works and highways, Edwards and Kelcey, Consultants, dated November 28, 1966.

The appropriation provided by this section shall be available for expenditure until June 30, 1969.

**394:17 Bond Issue.** Notwithstanding the provisions of Laws of 1965, 281:9 which authorize the state treasurer to borrow upon the credit of the state not exceeding the sum of thirty-one million, fifty-two thousand, three hundred thirty-one dollars (\$31,052,331), in order that the provisions of section 14 [16] of this act are reflected in the borrowing power of the state treasurer, to provide funds for the purposes stated in said Laws 1965, 281:9, the amount of money authorized to be borrowed under Laws 1965, 281:9, is thirty million, five hundred fifty-two thousand, three hundred thirty-one dollars (\$30,552,331).

**394:18 Amend Laws, 1961, 263:5-a as inserted by 1965, 281:22 by striking out said section and inserting in place thereof the following:**

**263:5-a Additional Appropriations.** In addition to the sums specified in section 5 the following sums are appropriated for the purposes indicated:

Southwestern state park	\$1,000,000
Winnepesaukee state park	1,000,000
Cannon mountain project	800,000
Connecticut lakes study	25,000

Rye harbor project	7,000
Shelburne basin project	10,000
Sunapee ski lift	500,000
Ossipee lake	400,000
Planning	250,000
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Total	\$3,992,000
Less: Federal funds	1,996,000
<hr/>	
	\$1,996,000
Additional state funds	\$125,000
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\$2,121,000

The appropriation for each of the above individually specified projects may not be expended unless participating federal funds are available for that specific project, provided that the appropriation for additional state funds in the amount of \$125,000 may be used for any expenses for the above programs for which federal funds are not available.

The individual project appropriations as provided above shall not be transferred or expended for any other purpose; provided however, that the governor and council may transfer any balance remaining after completion of any individual project to other projects within the same section.

The appropriation provided by this section shall be available for expenditure until June 30, 1970.

**394:19 Bonds or Notes Authorized.** Amend the Laws of 1961, 263:6 as inserted by 1965, 281:23 by striking out the same and inserting in place thereof the following:

**263:6 Bonds or Notes Authorized.** For the purpose of providing funds necessary for the appropriations made by sections 5 and 5-a, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time, a total of eleven million, one hundred twenty-one thousand dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity date of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than 1990.

**394:20 Repeal.** Section 2 of Chapter 361, Laws of 1965, relative to transfer of funds is hereby repealed.

**394:21 Appropriation Extended.** Amend section 1 of Chapter 221 of the Laws of 1965 by striking out all after the word "Lapse" in line four

so that the section as amended shall read as follows: **221:1 Appropriation Extended.** The appropriation for Beaver Brook dam in the amount of \$150,000, or the unexpended balance thereof, as provided for in paragraph IX of Chapter 251:1 of the Laws of 1963, shall not lapse.

**394:22 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 395.

### AN ACT RELATING TO METHOD OF ENACTMENT OF BUILDING CODE ORDINANCES IN TOWNS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**395:1 Method of Enactment in Towns.** Amend RSA 156-A:1-a as inserted by 1965, 346:1 by striking out said section and inserting in place thereof the following:

**156-A:1-a Method of Enactment in Towns.** Any proposed building code ordinance, as submitted by a planning board or the board of selectmen, or any amendment to an existing building code ordinance as proposed by a planning board or board of selectmen shall be submitted to the voters of a town in the following manner:

I. Ordinance or Amendment by the Planning Board or Board of Selectmen. There shall be at least two public hearings at least fifteen days apart on the regulation or restriction at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days' notice of the time and place of each such public hearing shall be published in a paper of general circulation in the town and a legal notice thereof shall also be posted in at least three public places in such town. The public hearings shall be held by the planning board, or the board of selectmen, when there is no planning board. After the first public hearing, the planning board, or board of selectmen, when there is no planning board, shall consider all changes proposed to the ordinance or amendment at that hearing, and shall vote to accept or reject such changes prior to the second public hearing. The notice of the second public hearing must include either the text or an adequate statement of all changes in the proposed ordinance or amendment considered at the first hearing which were subsequently accepted by the planning board, or board of selectmen, if there is no planning board, shall consider all changes proposed to the ordinance or amendment at that hearing, and shall vote to accept

or reject such changes prior to the second public hearing. The notice of the second public hearing must include either the text or an adequate statement of all changes in the proposed ordinance or amendment considered at the first hearing which were subsequently accepted by the planning board, or board of selectmen, if there is no planning board. At least fifteen days notice of the time and place of each such public hearing shall be published in a paper of general circulation in the town and a notice thereof shall also be posted in at least three public places in such town. After the second public hearing the planning board, or board of selectmen, when there is no planning board, shall, by vote, determine the final form of the ordinance, amendment or amendments, to be presented to the town which shall conform, in substance, to that submitted to the second hearing but may include editorial revisions and textual modifications resulting from the proceedings of that hearing. Official copies of the final proposed ordinance, amendment or amendments, to an existing ordinance shall be placed upon file, and shall be made available to the public, at the office of the town clerk two weeks prior to the date at which action is to be taken, and a like copy of the proposed ordinance or amendment to an existing ordinance, shall be on display to the voters on the day of the meeting. If the town has adopted an official ballot for the election of its officers, the issue as to the adoption of the proposed ordinance or amendment shall be presented to the voters of the town by the inclusion of the following question on said official ballot as prepared by the town clerk: "Are you in favor of the adoption of the building code ordinance, (or amendment to the existing town building code ordinance) as proposed by the planning board (board of selectmen)?"

In the event that there shall be more than a single proposed amendment to be submitted to the voters at any given meeting, the issue as to the several amendments shall be put in the following manner: "Are you in favor of the adoption of amendment no. . . . . as proposed by the planning board (board of selectmen) for the town building code ordinance as follows?" (Here insert topical description of substance of amendment.)

If such action is to be taken at a meeting other than the one at which officers are to be elected the clerk shall prepare a special ballot containing the question or questions above stated and the meeting shall open not later than noon and shall remain open at least eight hours. If such action is to be taken at a meeting in a town which has not adopted an official ballot the clerk shall likewise prepare a special ballot for the use of voters in voting on the question. If a majority of the voters present and voting on any question or questions as herein provided shall vote in the affirmative the ordinance or amendment thereto shall be declared to have been adopted. When submitting any question to the voters under this section, the form of the ballot shall be as prescribed by RSA 59:12-a.

II. Amendments Proposed by Petition. Upon the petition of twenty-five voters for an amendment to a building code ordinance, the planning board, or board of selectmen, when there is no planning board, shall proceed and submit the amendment or amendments to the voters of a town as prescribed in paragraph I. The planning board, or board of selectmen, when there is no planning board, may not reject the amendment or amendments proposed by the petition of twenty-five voters, but shall submit the proposed amendment or amendments to the voters as offered by the petition. The petitioners shall submit the proposed amendment or amendments to the building code ordinance in correct form to amend the existing building code ordinance, as determined by the board of selectmen. The following question shall be submitted to the voters: "Are you in favor of the adoption of the amendment to the building code ordinance as proposed by petition of the voters for this town?" The approval or disapproval of the planning board, or the board of selectmen, when there is no planning board, shall also be noted on the ballot immediately following the question.

In the event that there shall be more than a single proposed amendment to be submitted to the voters at any given meeting, the issue as to the several amendments shall be put in the following manner: "Are you in favor of the adoption of amendment no. . . . . as proposed by petition of the voters for this town?" (Here insert topical description of substance of amendment.) The approval or disapproval of the planning board, or the board of selectmen, when there is no planning board, shall also be noted on the ballot immediately following the question. An amendment proposed by petition shall be submitted to the voters only at an annual town meeting.

**395:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 396.

AN ACT RELATIVE TO PUBLIC ASSISTANCE TO BLIND, AGED OR DISABLED PERSONS, DEPENDENT CHILDREN AND TO THE MEDICALLY NEEDY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**396:1 Medically Needy.** Amend RSA 167:1 as amended by 1961, 271:1 by striking out said section and inserting in place thereof the following: **167:1 Settlement.** No person shall lose or be prevented from

gaining a settlement because of receiving old age assistance, aid to the blind, aid to families with dependent children, aid to the permanently and totally disabled, or medical assistance under the provisions of this chapter or RSA 161.

**396:2 Employment.** Amend RSA 167:3-b (supp) as inserted by 1965, 223:1 by striking out said section and inserting in place thereof the following: **167:3-b Elimination of Responsibility for Medical Assistance.** The provisions of sections 2, 3 and 3-a of this chapter do not apply to the administration of medical assistance.

**396:3 Conditions of Eligibility.** Amend RSA 167:4 as amended by 1961, 50:1 and 1965, 154:1 by striking out said section and inserting in place thereof the following: **167:4 Eligibility for Assistance.** Public assistance, including medical assistance, shall be granted under this chapter or RSA 161 to any eligible person as defined in section 6 hereof who has not sufficient income or other resources to provide a reasonable subsistence compatible with decency and health, except that:

I. In the determination of sufficiency of income and resources the director of the division of welfare may disregard such income and resources as may be permitted by the social security act of the United States and any amendments thereto.

II. Public assistance, other than medical assistance, shall not be granted to any one who has made an assignment or transfer of property for the purpose of rendering himself eligible for such assistance within five years immediately preceding his application for such assistance.

III. Public assistance shall not be granted to any one who is an inmate of a public institution other than a patient in a public medical institution.

IV. Public assistance shall not be granted to any one who has refused to accept suitable employment.

**396:4 Categories.** Amend RSA 167:5 as amended by 1961, 271:2 by striking out said section and inserting in place thereof the following: **167:5 Designations.** Assistance granted to needy aged persons shall be designated as old age assistance; assistance granted to needy blind shall be designated as aid to the blind; assistance granted to needy dependent children shall be designated as aid to families with dependent children; assistance granted to the needy permanently and totally disabled shall be designated as aid to the permanently and totally disabled; medical care and services provided individuals whose income and resources are insufficient to meet costs of necessary medical needs shall be designated as medical assistance. Assistance granted in these groups shall be in the form of money payments to or vendor medical payments in behalf of recipients and such separate records and accounts shall be kept and other re-



quirements met as are necessary to qualify for grants-in-aid from the federal government.

**396:5 Terms Defined.** Amend RSA 167:6 as amended by 1957, 116:3; 1959, 177:1, 2; and 1961, 271:3 by striking out said section and inserting in place thereof the following:

**167:6 Definitions.**

(a) For the purposes hereof a person shall be eligible for old age assistance who is sixty-five years of age; is a citizen of the United States and has been a resident of the state for one year immediately preceding his application for such aid.

(b) For the purposes hereof a woman born in the United States shall be eligible for old age assistance who is sixty-five years of age; has been a resident of the state for one year immediately preceding her application for such aid; was married between the dates March 2, 1907 and September 22, 1922, to an alien and lost her citizenship by such marriage.

(c) For the purposes hereof a person shall be eligible for old age assistance who is sixty-five years of age; has resided continuously in the United States for ten years immediately preceding his application for such aid; and has been a resident of the state for one year immediately preceding said application.

(d) For the purposes hereof a person shall be eligible for aid to needy blind who has no vision or whose vision with correcting glasses is so defective as to prevent the performance of ordinary activities for which eyesight is essential and has resided in the state for one year immediately preceding his application for such aid. No person shall be eligible to receive such aid while receiving old age assistance aid to the permanently and totally disabled or aid to families with dependent children.

(e) For the purposes hereof a person shall be eligible for aid to families with dependent children who is a needy child under the age of eighteen or under the age of twenty-one and a student regularly attending a school, college, or university, or regularly attending a course of vocational or technical training designed to fit him for gainful employment, who has been deprived of parental support or care by reason of death, continued absence from the home, or physical or mental incapacity of a parent, who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, first cousin, nephew, or niece, uncle or aunt in a place of residence maintained by one or more of such relatives as his or their home and who has resided in the state for one year immediately preceding his application for such aid, or who was born within one year immediately preceding said application and the parent or other qualified relative with whom he is living has resided in the state for one year immediately preceding the birth. No person shall be eligible to receive such aid while receiving old age assistance.

(f) For the purposes hereof a person shall be eligible for aid to the permanently and totally disabled who is between the ages of eighteen and sixty-four years inclusive; is a citizen of the United States and has been a resident of the state for one year immediately preceding said application for such aid; and who is permanently and totally disabled. No person shall be eligible to receive such aid while receiving old age assistance, aid to the needy blind or aid to families with dependent children.

(g) For the purposes hereof a person shall be eligible for **medical** assistance who is a recipient of categorical assistance or a medically needy person as defined by the director of welfare; who resides in this state or is a resident and is temporarily absent; and whose income and resources are insufficient to meet the cost of necessary medical care and services.

**396:6 Repeal.** RSA 167:9 (supp) as amended by 1961, 222:1 and 1965, 215:1 relative to investigation of applications is hereby repealed.

**396:7 Repeal.** RSA 167:12 (supp) as amended by 1961, 222:1 and 1965, 352:13 relative to appeals to the commissioner is hereby repealed.

**396:8 Effect of Receipt of Assistance.** Amend RSA 167:16-a as inserted by 1961, 271:6 by striking out the same and inserting in place thereof the following: **167:16-a Limitations.** Notwithstanding section 14 of this chapter, no lien may be imposed against the property of any individual prior to his death on account of medical assistance paid or to be paid on his behalf at any time if he was under sixty-five years of age when he received such assistance except pursuant to a judgment of a court on account of benefits incorrectly paid on behalf of such individual, and notwithstanding any provision of law, there shall be no claim, adjustment or recovery of medical assistance correctly paid on behalf of such an individual except from the estate of an individual who was sixty-five years of age or older when he received such assistance, and then only after the death of his surviving spouse, if any, and only at a time when he has no surviving child who is under age twenty-one or is blind or permanently and totally disabled.

**396:9 Public Assistance Fund.** Amend RSA 167:20 as amended by 1961, 222:1 by striking out said section and inserting in place thereof the following: **167:20 Public Assistance Fund Created.** There is hereby established in the state treasury a public assistance fund which shall consist of all funds made available for the purposes of this chapter or RSA 161 by the federal government or the state. Within this fund there shall be established the following separate accounts: Old Age Assistance; Blind Assistance and Service; Aid to Families with Dependent Children; Child Welfare Services; Aid to the Permanently and Totally Disabled; Medical Assistance; Administration and Service. The director of the division of welfare, department of health and welfare, with the approval of the governor and council, may make transfers of state funds between accounts

within the fund. Moneys shall be disbursed from this fund upon authorization of the director of the division of welfare, department of health and welfare for the purposes of this chapter or RSA 161: (1) All moneys advanced to or otherwise placed at the disposal of the state by the federal government and accepted by the state under the provisions hereof, (2) all moneys received from counties or towns pursuant to the provisions hereof, (3) the sums appropriated for the division of welfare, department of health and welfare, and (4) the moneys appropriated to carry out the provisions of this chapter or RSA 161, shall be kept by the state treasurer in said public assistance fund and paid out by him upon warrants drawn by the governor with the advice and consent of the council for the purposes of this chapter or RSA 161 and other purposes of the director of the division of welfare, department of health and welfare, authorized by law. Unexpended balances in the accounts of said fund shall not lapse but shall be available for expenditure by the director of the division of welfare, department of health and welfare, with the approval of the governor and council, for the purposes of this chapter or RSA 161.

**396:10 Authorization.** Amend RSA 167:20 by adding at the end thereof the following new section **167:20-a. Authorization.** For the purpose of medical care services, the division of welfare, department of health and welfare may be authorized to make an advance, through the state treasurer, and under a contract approved by governor and council, of funds necessary to provide working capital funds, to a fiscal agent processing payments to medical vendors. The fiscal agent shall post bond in the amount of said advance and shall thereafter submit monthly, or more often, required detail of payments processed which shall then be reimbursed by the state to the said fiscal agent.

**396:11 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 397.

AN ACT INCREASING THE SALARIES OF THE MERRIMACK COUNTY TREASURER  
AND COMMISSIONERS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**397:1 Merrimack County Treasurer.** Amend RSA 29:14 (supp) as amended by 1955, 172:2; 247:3; 1957, 149:1, 1963, 8:1; 1965, 262:2; 1967, 36:1 and an act passed by the 1967 General Court increasing the salary of the Strafford county commissioners by striking out the words "In Merri-

mack, six hundred dollars" and inserting in place thereof the words (In Merrimack, one thousand dollars) so that said section as amended shall read as follows: **29:14 Salaries.** The annual salaries of the treasurers of the several counties to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, seven hundred and fifty dollars.

In Belknap, five hundred dollars.

In Carroll, seven hundred and fifty dollars.

In Merrimack, one thousand dollars.

In Hillsborough, twelve hundred dollars.

In Cheshire, four hundred dollars.

In Sullivan, five hundred dollars.

In Grafton, five hundred dollars.

In Coos, five hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

**397:2 Merrimack County.** Amend RSA 28:28 (supp) as amended by 1955, 247:4, 269:1, 1957, 182:1, 246:1, 1961, 80:1, 157:1, 210:1, 1963, 94:1, 329:2, 1965, 142:1, 191:1 and 262:1 and three acts enacted by the 1967 General Court increasing the salaries of county commissioners one in Grafton county, one in Rockingham county, and one in Strafford county by striking out in line 7 the words "In Merrimack, two thousand dollars" and inserting in place thereof the words (In Merrimack, twenty-two hundred and fifty dollars) so that said section as amended shall read:

**28:28 Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, thirty-five hundred dollars.

In Strafford, two thousand dollars.

In Belknap, fifteen hundred dollars.

In Carroll, eighteen hundred dollars.

In Merrimack, twenty-two hundred fifty dollars.

In Hillsborough, forty-five hundred dollars.

In Cheshire, two thousand dollars.

In Sullivan, eighteen hundred dollars.

In Grafton, twenty-one hundred and fifty dollars.

In Coos, two thousand dollars.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

**397:3 Effective Date.** This act shall take effect July 1, 1967 provided that the increase in salaries of the county commissioners of Rockingham and Strafford counties shall not take effect until January 1, 1968 and the

increase in salary of the treasurers of Strafford and Rockingham counties shall not take effect until January 1, 1968.

[Approved July 3, 1967.]

[Effective date July 1, 1967 except for certain increases effective January 1, 1968.]

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## CHAPTER 398.

### AN ACT RELATIVE TO PAYMENT OF HEALTH, WELFARE, AND PENSION FUND CONTRIBUTIONS BY EMPLOYERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**398:1 Amend Definition of "Wages".** Amend paragraph III of RSA 275:42, as amended by 1957, 187:15 and 1963, 237:3, by inserting after the word "compensation" in line one the words (including hourly health and welfare, and pension fund contributions required pursuant to a health and welfare trust agreement, pension fund trust agreement, collective bargaining agreement, or other agreement adopted for the benefit of an employee and agreed to by his employer) so that said paragraph as amended shall read as follows: III. The term "wages" means compensation, including hourly health and welfare, and pension fund contributions required pursuant to a health and welfare trust agreement, pension fund trust agreement, collective bargaining agreement, or other agreement adopted for the benefit of an employee and agreed to by his employer, for labor or services rendered by an employee, whether the amount is determined on a time, task, piece, commission, or other basis of calculation.

**398:2 Pension Fund Contributions; When to be Paid.** Amend paragraph I of RSA 275:43 as amended by 1963, 237:3 by inserting at the end of said paragraph the following: (provided, however, that all wages in the nature of health and welfare fund or pension fund contributions required pursuant to a health and welfare fund trust agreement, pension fund trust agreement, collective bargaining agreement, or other agreement, adopted for the benefit of his employees and agreed to by him shall be paid by every such employer within thirty days of the date of demand for such payment, the payment to be made to the administrator or other designated official of the applicable health and welfare or pension trust fund) so that said paragraph as amended shall read as follows: I. Every employer shall pay all wages due to his employees who work by the hour or day within eight days including Sunday after expiration of the week in which the work is performed, on regular paydays designated in advance

by the employer, in lawful money of the United States or with checks on banks convenient to the place of employment where suitable arrangements are made for the cashing of such checks by employees for the full amount of the wages due, provided, however, that all wages in the nature of health and welfare fund or pension fund contributions required pursuant to a health and welfare fund trust agreement, pension fund trust agreement, collective bargaining agreement, or other agreement, adopted for the benefit of his employees and agreed to by him shall be paid by every such employer within thirty days of the date of demand for such payment, the payment to be made to the administrator or other designated official of the applicable health and welfare or pension trust fund.

**398:3 Employees Separated From Payroll Before Pay Days.** Amend RSA 275:44 as amended by 1963, 237:3 by inserting at the end of said section the following new paragraph: V. Regardless of the reason for an employee's termination of employment the employer shall pay to the appropriate administrator or other designated officials all wages in the nature of hourly health and welfare fund or pension fund contributions due with respect to such employee at the time of the next succeeding payment date applicable to such contributions.

**398:4 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 399.

### AN ACT RELATIVE TO SCHOOL BUILDING AID.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**399:1 Computation of Grant.** Amend RSA 198:15-b (supp) as inserted by 1955, 335:9 and amended by 1957, 301:1, 1963, 277:3; 1965, 150:2 and by an act relative to school building and foundation aid passed by the 1967 general court, by striking out said section and inserting in place thereof the following:

**198:15-b Amount of Annual Grant.** The amount of the annual grant to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, or any receiving district operating an area school as defined in RSA 195-A:1, shall be a sum equal to thirty per cent of the amount of the annual payment of principal on all outstanding

borrowings of the school district, city, cooperative school district or receiving district, heretofore or hereafter incurred, including loans made by the New Hampshire school building authority, for the cost of construction or purchase of school buildings, to the extent approved by the state board of education provided that the amount of the annual grant in the case of a cooperative school district, or a receiving district operating an area school, shall be forty per cent plus five per cent for each preexisting district in excess of two and each sending district in excess of one, and providing further that no cooperative school district, or receiving district operating an area school, shall receive an annual grant in excess of fifty-five per cent. For the purposes of computing grants hereunder the amount of the annual payment of principal shall be increased by an amount equal to the amount of capital reserve and/or amount raised by taxation which was actually expended for the project at any time, divided by the number of years for which bonds or notes were issued to provide funds for such school building or supervisory union facilities. If the project was entirely financed by the use of capital reserve or amounts raised by taxation, the aid provided herein shall be paid in ten equal annual grants. For the purposes of this subdivision construction shall include the acquisition and development of the site, construction of a new building and/or additions to existing buildings including alterations providing additional pupil capacity, architectural and engineering fees, purchase of equipment and any other costs necessary for the completion of the building as approved by the state board of education; and purchase of school buildings shall include the acquisition and improvement of land in connection therewith and the remodeling, altering, repairing, equipping and furnishing of such buildings as approved by the state board of education.

**399:2 Approval.** Amend RSA 198:15-c as inserted by 1955, 335:9 and amended by an act relative to school building and foundation aid passed by the 1967 general court by striking out the same and inserting in place thereof the following: **198:15-c Approval of Plans, Specifications and Costs of Construction and/or Purchase.** A school district maintaining approved schools, desiring to avail itself of the grants herein provided shall have the plans, specifications, and cost estimates for school plant construction and/or proposals for the purchase of school buildings and the costs thereof approved by the state board prior to the start of construction. For this purpose the district shall submit its plans, specifications, cost and purchase estimates in writing to the state board on such forms as the board prescribes. The state board shall not approve the plans, specifications, cost or purchase estimates, if in the board's judgment the facilities planned will not adequately meet the educational requirements, or if its cost estimates are excessive or unreasonable. The state board shall not approve the plans, specifications, cost or purchase estimates if in the board's judgment the proposed construction or purchase is in con-

flict with effective state-wide planning. Necessary costs of the purchase of school buildings may be determined by any recognized method of real estate appraisal with appropriate adjustments for remodeling or other expenditures. Upon approval of the construction and/or purchase by the state board of education, the school district shall be entitled to receive an annual grant as provided herein.

**399:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 400.

### AN ACT INCREASING UNEMPLOYMENT COMPENSATION BENEFITS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**400:1 “Employment” Exclusion.** Amend RSA 282:1-H (4) (d) by striking out said subparagraph and inserting in place thereof the following: (d) Service performed by an individual in the employ of his son, daughter, brother, sister, father, father-in-law, mother, mother-in-law, spouse, or the spouse of any of them or for a corporation fifty percent of whose stock is held either individually or collectively by himself and/or any of them.

**400:2 Wages Affecting Benefits.** Amend RSA 282:1-M (3) as amended by 1955, 141:5; 1961, 88:4 and 1963, 194:1, by striking out the third sentence thereof and inserting in place thereof the following sentence: (An individual’s maximum weekly benefit amount shall be reduced by all wages and earnings in excess of twenty percent, rounded to the nearest dollar, of his maximum weekly benefit amount) so that said paragraph (3) as amended shall read as follows: (3) For the purposes of paragraphs (1) and (2) above: The term “wages” shall include compensation for temporary partial disability under the workmen’s compensation law of any state or under a similar law of the United States, payments in lieu of notice, a sickness or separation allowance, payments upon discharge from military service from either the state or federal government, or both, and earnings from self-employment. Wages and/or earnings shall be deemed to have been received in such week or weeks in which earned, or, if not clearly identifiable, then for such week or weeks as the commissioner may find such can be reasonably said to apply. An individual’s maximum weekly benefit amount shall be reduced by all wages and earnings in ex-



cess of twenty percent, rounded to the nearest dollar, of his maximum weekly benefit amount. Wages and/or earnings shall be rounded to the nearest dollar. Benefits shall not be reduced in any part by any sum paid pursuant to an arbitration award, or any similar payment under any state or federal statute, or vacation pay paid subsequent to the vacation period, or any retroactive payment made by reason of the establishment or adjustment of a piece or hourly rate, or holiday pay.

**400:3 Annual Earnings.** Amend RSA 282:1-0 (2) as amended by 1961, 88:6, and 1963, 194:2, by adding at the end of said paragraph the following: (and an amount equivalent to the average weekly wage, as determined under the New Hampshire Workmen's Compensation statute, for each week that an individual has been found by either the labor commissioner or a court to be entitled to receive workmen's compensation) so that said paragraph as amended shall read as follows: (2) "Annual earnings" shall be the wages, to the nearest dollar, earned during each base period from an employer by an individual in employment in New Hampshire, and an amount equivalent to the average weekly wage, as determined under the New Hampshire Workmen's Compensation statute, for each week that an individual has been found by either the labor commissioner or a court to be entitled to receive workmen's compensation.

**400:4 Maximum Benefits.** Amend RSA 282:2-B (1) as amended by 1955, 7:1; 1959, 28:1; 1961, 88:7 and 228:1; 1963, 194:3, and 1965, 208:1, by striking out said paragraph and inserting in place thereof the following: (1) The maximum weekly benefit amount and maximum benefits payable to an eligible individual in any benefit year shall be determined by his annual earnings, of which in each of two calendar quarters he must have earned not less than one hundred dollars, as follows:

A	B	C
Annual Earnings of Not Less Than	Maximum Weekly Benefit Amount	Maximum Benefits
\$600	\$13	\$338
900	16	416
1,200	19	494
1,500	21	546
1,700	24	624
2,000	28	728
2,300	31	806
2,600	34	884
2,800	37	962
3,000	40	1,040
3,200	41	1,066
3,400	43	1,118

3,600	45	1,170
3,900	46	1,196
4,200	47	1,222
4,500	50	1,300
4,700	51	1,326
5,000	52	1,352
5,300	53	1,378
5,500	54	1,404

**400:5 Vocational Trainees.** Amend RSA 282:3 as amended by inserting after subsection D the following new subsection E: E. Subsection C above shall be waived for any week with respect to any individual who is otherwise entitled to unemployment compensation benefits and is selected by the department of employment security and enrolled in a vocational training program under the auspices of the New Hampshire department of education; provided, that such individual is not entitled to a training allowance or payment supplemental to unemployment compensation benefits, under a state or federal law or private plan, and is as to such week in good standing in the training program, and has not failed for personal reasons to attend all scheduled sessions. Remuneration for services in connection with the training program paid to any such individual shall be wages for the purposes of section 1-M of this chapter.

**400:6 Non-Employer Charge for Benefits Paid to Vocational Trainees.** Amend RSA 282:6-C (2) as inserted by 1955, 141:12 and amended by 1957, 118:7, by inserting after subparagraph (e) the following new subparagraph: (f) Benefits are paid to an individual by reason of section 3-E of this chapter.

**400:7 Co-operation with Town and City Clerks.** Amend RSA 282:9-S by striking out said subsection and inserting in place thereof the following: S. Co-operation. It shall be the duty of the city and town clerks to cooperate with the employment service bureau in the reception and forwarding of applications from those seeking employment and those desiring employees. Such clerks shall receive such compensation from the department of employment security as the commissioner of said department determines appropriate and to the extent he finds that funds are available, and may receive additional compensation therefor according to the direction of the respective cities and towns.

**400:8 Disqualification for Refusal of Suitable Work.** Amend subsection A of RSA 282:4 as amended by 1955, 141:9; 1957, 118:4; 1959, 28:2; 1965, 208:3; and 1967, 75:1 by striking out said subsection and inserting in place thereof the following:

A. Until the individual has earned in each of three weeks wages in employment as defined in section 1-H, except 1-H(4) (f), (g), (q) and (r)

or wages earned in a like manner in another state, equal to or in excess of three dollars more than his weekly benefit amount subsequent to the date:

(1) He left his work voluntarily without good cause in accordance with rules and regulations of the commissioner. This subsection shall not apply and benefits shall be paid without regard thereto where an unemployed individual, not under a disqualification, accepts employment which would not have been deemed suitable work under subsection M of this section and terminates such employment within a period of not more than four (4) consecutive weeks of employment with or without good cause;

(a) In the case of a woman who is disqualified under paragraph (1) above for leaving her work due to pregnancy, the three-week work-and-earning requirement in the first paragraph of this subsection shall be one week.

(2) He was discharged for misconduct connected with his work, if so found by the commissioner.

**400:9 Disqualification by Finding of Commissioner.** Amend RSA 282:4 by inserting after subsection L as inserted by 1959, 28:3 the following subsection:

M. If the commissioner finds that he has failed, without good cause, either to apply for available, suitable work when so directed by the employment office or the commissioner or to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the commissioner. Such disqualification shall continue for the week in which such failure occurred and for the three weeks which immediately follow such week.

(1) The commissioner, in determining whether or not any work is suitable for an individual, shall consider the following:

- (a) The degree of risk involved to his health, safety and morals, and
- (b) His physical fitness; and
- (c) His prior training; and
- (d) His experience; and
- (e) His prospects for securing, in his labor market area, work in his customary occupation; and

(f) The distance of the available work from his residence, but such distance shall not be substantially greater than that distance to all those places to which others living in the same town or city travel for work which utilizes similar or related skills or services, and also to where he acquired his currently available annual earnings; and

(g) His prior earnings and length of unemployment, but his prior earnings shall be given more weight than his length of unemployment.

(2) Notwithstanding any other provisions of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(a) If the position offered is vacant due directly to a strike, lock-out, or other labor dispute;

(b) If the wages, hours or other conditions of the work are substantially less favorable to the individual than those prevailing for similar work in the locality;

(c) If as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

**400:10 Claimant Assistance.** Amend RSA 282:9 by inserting after subsection T as inserted by 1961, 88:35 the following subsection:

U. Claimant Assistance. There shall be in the department, assigned to the commissioner's office, a full-time, classified employee with the title of claim representative. He shall be qualified as a certifying officer and possess such other requisite skills, knowledge and abilities as appropriate. His duties shall include advice to claimants relative to presentation of their best case to a certifying officer for purpose of redetermination, and the presentation of, or assistance therein, a claimant's case before an appeal tribunal including request for reopening. There shall also be in the department, but not members of the state classified service, part-time assistant claim representatives who shall be knowledgeable about unemployment compensation, shall be appointed by and serve at the pleasure of the commissioner, receive thirty dollars for each day or any part thereof that they perform services at the request of the commissioner or his authorized representative, and when necessary to the performance of their duties as determined by the commissioner shall be reimbursed for mileage and meals as are state employees generally. The assistant claim representatives shall assist the claim representative and shall work under his general supervision to the extent deemed appropriate by the commissioner. Neither appointment under section 5-C and 9-R of this chapter or receipt of retirement or pension payments from the state shall bar appointment and remuneration as an assistant claim representative. No claimant shall be a beneficiary of this provision, except for preliminary evaluation, unless the commissioner or the claim representative finds the case to be one about which reasonable men may disagree.

**400:11 Contingent Fund.** Amend RSA 282:10-C as amended by 1955, 141:16, 1961, 88:36 and 1963, 194:10 by striking out the same and inserting in place thereof the following:

C. Contingent Fund. There is hereby created in the state treasury a special fund to be known as the contingent fund. All interest, fines, late-

filing fees and penalties collected under the provisions of this chapter, after the effective date of this subsection, shall be paid into this fund. The monies in this fund may be used by the commissioner: (1) as a revolving fund to cover expenditures (necessary and proper under the law) for which federal funds have been duly requested but not yet received, subject to the charging of such expenditures against such funds when received, (2) for an annual audit by a private firm of certified public accountants, such firm to be designated by the state comptroller with approval of the governor and council, of the various funds provided for under this chapter and the employers' separate accounts maintained pursuant thereto, (3) for rents, equipment, supplies, motor vehicles and their maintenance, fees, costs of administration as specifically provided in this chapter, salaries, per diem and expense payments and training and education, whether institutional, departmental or conference-type, of assistant claim representatives, appeal tribunal and advisory council members and full and part-time department employees and its officers, including attendance at and hosting conferences and meetings sponsored or participated in by the bureau of employment security of the United States department of labor and also the Interstate Conference of Employment Security Agencies, (4) for any other purpose which upon request of the commissioner is found by the governor and council to be in furtherance of the administration of this chapter. Monies in this fund shall not be expended or available for expenditure in any manner which would permit their substitution for (or a corresponding reduction in) federal funds which would, in the absence of said monies, be available to finance expenditures for the administration of this chapter. This fund shall be used by the commissioner for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants (or other funds) received for or in the unemployment compensation and employment service administration fund on or after the effective date of this subsection. The monies in this fund are hereby specifically made available to replace, within a reasonable time, any monies received by this state pursuant to section 302 of the federal social security act, as amended, which, because of any action or contingency, have been lost or expended for purposes other than, or in amounts in excess of, those necessary for the proper administration of this chapter. The monies in this fund shall be continuously available to the commissioner for expenditure in accordance with the provisions of this subsection and shall not lapse at any time or be transferred to any other fund except as herein provided. In the event that a refund of interest, a fine, a late-filing fee or penalty is found necessary, and such interest, fine, late-filing fee or penalty has been deposited in the contingent fund, such refund shall be made from the contingent fund. This fund shall be administered and disbursed in the same manner and under the same conditions as other special funds of the state treasury.

**400:12 Effective Date.** Sections 1, 2, 3, 5, 6, 7, 8, 9, 10 and 11 of this act shall take effect July 1, 1967. Section 4 of this act shall take effect October 1, 1967.

[Approved July 7, 1967.]

[Effective date — sections 1, 2, 3, 5, 6, 7, 8, 9, 10 and 11 effective July 1, 1967, section 4 effective October 1, 1967.]

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## CHAPTER 401.

AN ACT PROVIDING WHEN THE STATE SHALL PAY THE SALARY OF A PROBATE JUDGE SITTING OUTSIDE HIS COUNTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**401:1 State to Pay Salary.** Amend RSA 547:18 (supp) as amended by 1963, 127:2 by striking out the section and inserting in place thereof the following: **547:18 Vacancy.** Whenever there is a vacancy in the office of the judge of probate of any county, the register of probate shall call upon the judge of some other county, who shall act during such vacancy. Such judge who is called upon to attend a regular term shall receive one hundred dollars per day as full compensation for his services and expenses for each day of actual service, which shall be paid by the state and shall be a charge against the appropriation for probate judges' salaries.

**401:2 County to Pay Salary.** Amend RSA 547 by inserting after section 18 (supp) as amended by 1963, 127:2 the following new section: **547:18-a Absence or Inability to Attend.** Whenever a judge of probate in any county shall be absent or unable to attend a regular term or to hold special sessions of the probate court, the register of probate shall call upon the judge of some other county, who shall act during such absence or inability, but the register shall first obtain the approval of the judge of his county, if possible, before calling upon another judge to hold any special session. A judge who is called upon to attend a regular term shall receive fifty dollars a day and a reasonable compensation for his travel and expenses for each day of actual service, which shall be paid by the county in which he sits. In the case of special sessions such judge shall be entitled to receive the compensation provided in section 23 of this chapter, as amended.

**401:3 Effective Date.** This act shall take effect upon its passage.

[Approved July 7, 1967.]

[Effective date July 7, 1967.]

**CHAPTER 402.**

AN ACT TO PROVIDE EXTRA FUNDS FOR THE FISH AND GAME DEPARTMENT FROM TOLLS FROM MOTOR FUEL USED FOR PROPULSION OF BOATS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**402:1 Motor Fuel Used for Propulsion of Boats.** Amend RSA 265:29 by striking out said section and inserting in place thereof the following: 265:29 — **Exception.** Annually on or before June one, the director of the division of motor vehicles shall compare the number of gallons on which refunds have been made for the preceding calendar year for fuel used in the propulsion of boats on inland public waters of the state, with the number of gallons of such fuel sold and delivered directly into the fuel tanks, or supplementary fuel tanks, of boats or outboard motors upon the inland public waters for use in such boats or outboards, as reported to him and if there is any balance of unrefunded tolls so collected, he shall report the same to the state treasurer who shall, on July one, next following, credit one-half of said balance to the division of safety services, having jurisdiction over the navigation of such boats or motors, and credit one-half of said balance to the fish and game department. Funds credited to the division of safety services shall be used for the promotion of the safety of navigation and the funds credited to the fish and game department shall be used by said department to carry out its program and be accounted for as the fish and game fund is accounted for. Any balances in the funds hereby credited as above provided shall not lapse at the end of the fiscal year. The director of the division of motor vehicles shall pay monthly to the state treasurer all revenue from the aircraft landing area toll.

**402:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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**CHAPTER 403.**

AN ACT RELATIVE TO THE WORKMEN'S COMPENSATION LAW.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**403:1 Workmen's Compensation Law.** Amend RSA 281:2 as amended by 1957, 187:1-3, 1959, 187:1-3, 1961, 194:1, 2, 1963, 328:1, and 1965,

300:1 by striking out said section and inserting in place thereof the following:

**281:2 Definitions.** As used in this chapter, the following words and phrases shall have the following meaning unless the context clearly requires otherwise:

I. Employer, with respect to private employment, means a person, partnership, association, corporation and the legal representative of a person, partnership, association or corporation, who employs one or more persons, whether in one or more trades, businesses, professions or occupations and whether in one or more locations, except casual employees, farm labor when not more than five persons are employed, and domestic service. In determining the number of persons employed there shall be included persons whose contract of employment was entered into outside the state, if they are actually employed on work in this state. For the purpose of determining the number of persons employed, executive officers elected or appointed and empowered in accordance with the charter and by-laws of a corporation shall not be considered to be employees, except that such executive officers in excess of three shall be counted as employees. Any other employer may elect to accept the provisions of this chapter in accordance with section 3.

II. Employer, with respect to public employment, means the state, any agency thereof, and each county, city, town, school district, sewer district, drainage district, public or quasi-public corporation, or any other political subdivision thereof that has one or more employees subject to this act. Except where the context specifically indicates otherwise, the term "employer" in this paragraph and in paragraph I above, shall be deemed to include the employer's insurance carrier.

III. Employee, with respect to private employment, means any person in the service of an employer subject to the provisions of this chapter under any contract of hire, express or implied, oral or written, except employees employed in farm labor when not more than five persons are employed, domestic servants, casual employees, and railroad employees engaged in interstate commerce whose rights are governed by the Federal Employers' Liability Act. Executive officers elected or appointed and empowered in accordance with the charter and by-laws of a corporation subject to the provisions of this chapter shall be deemed to be employees of such corporation under this chapter, except as provided in paragraph I above.

IV. Employee, with respect to public employment, means every person in the service of the state, including members of the general court, or of any political subdivision or agency thereof, as defined in paragraph II above, under any contract of hire, express or implied, and every official or officer thereof, whether elected or appointed, while performing his official duties. Every person who is a paid member of a volunteer fire



or police department shall be deemed, for the purpose of this act, to be in the employment of the political subdivision of the state where the department is organized. Every person who is a regularly enrolled volunteer member or trainee of the civil defense corps of this state as established under the state civil defense act, shall be deemed, for the purposes of this chapter to be in the employment of the state.

V. Personal injury, or injury as used in and covered by this chapter means accidental injury or death arising out of and in the course of employment and all occupational diseases arising out of and in the course of employment, or death resulting therefrom, including disability due to radioactive properties or substances or exposure to ionizing radiation. For the purposes of this chapter occupational disease is defined as an injury arising out of and in the course of the employee's employment and due to causes and conditions characteristic of, and peculiar to, the particular trade, occupation, or employment. For the purpose of determining the date of injury for an occupational disease the first date of treatment by a licensed physician shall be taken as the date of injury, except as hereinafter specifically provided. It shall not include other diseases or death therefrom unless they are the direct result of an accidental injury arising out of or in the course of employment, nor shall it include a disease which existed at commencement of the employment, nor a disease the last injurious exposure to the hazards of which occurred prior to August 31, 1947. When silicosis and other pulmonary dust diseases or death therefrom occur within the above definition of "personal injury" or "injury," compensation shall be payable under the provisions of this chapter, provided, however, that

(1) no compensation shall be payable for partial disability;

(2) in the event of temporary or permanent total disability or death, notwithstanding any other provisions of this chapter, total compensation if disability or death occurred during July, 1947, shall not exceed the sum of five hundred dollars; thereafter the limit for total disability or death shall increase at the rate of fifty dollars each calendar month until the maximum allowed for other injuries under this chapter is reached;

(3) the total amount of benefit in case of death shall not exceed the balance remaining between the amounts paid for disability and the total compensation payable under this chapter. In connection with the maximum amounts payable for silicosis and other pulmonary dust diseases, compensation shall be payable from the date of total disability and not from the date of injury as herein defined in such cases.

VI. Wages mean, in addition to money payments for services rendered, the reasonable value of board, rent, housing, lodging, fuel or similar advantage received from the employer, and gratuities received in the course of employment from others than the employer; but shall not include any sum paid by the employer to his employee to cover any special expenses entailed on the employee by the nature of his employment.

VII. (1) Average weekly wages, except as provided in subsections (2), (3), (4), and (5) shall be computed by taking the total straight time earnings of the injured employee in the service of the same employer during the preceding twelve weeks, divided by the actual number of hours worked, and multiplied by forty; if the injured employee shall have been in the employment of the same employer for less than twelve weeks, then his total straight time earnings for such less period divided by the actual number of hours worked, and multiplied by forty. Where by reason of the shortness of the time during which the employee has been in the employment of his employer or the nature or term of the employment, it is inequitable to compute the average weekly wages as above defined, regard may be had to the average weekly amount as above defined, which, during the twelve weeks previous to the injury, was being earned by a person, in the same grade, employed at the same work by the same employer, or if there is no person so employed, by a person in the same grade, employed in the same class of employment in the same locality.

(2) Average weekly wages, of an injured employee whose normal schedule of hours in the service of the same employer during the preceding twelve weeks has not exceeded twenty-four hours a week, shall be computed by dividing the total actual earnings in the service of the same employer by the actual number of weeks; if the injured employee shall have been in the employment of the same employer for less than twelve weeks, then his total actual earnings for such less period divided by the number of weeks employed by said employer. Where the injured employee has been in the employ of his employer less than one week, his average weekly wages shall be computed by taking into consideration the rate of pay designated in his agreement of employment and by prorating his earnings to the sum he would have earned for a full week's work based on the current number of hours or days for that job at the time the accident occurred.

(3) The average weekly wage for employees engaged in occupations with an indeterminate work week shall be computed by taking the total earnings of the injured employee in the service of the same employer during the preceding twelve weeks and dividing by the actual number of weeks worked during the period; if the injured employee shall have been in the employment of the same employer for less than twelve weeks, then his total earnings for such less period divided by the actual number of weeks worked.

(4) The average weekly wage for paid state or municipal volunteer or call firemen and members of the state militia, as defined by RSA 110-A:1, if injured while on duty shall be deemed to be the average weekly wage that entitles them to the maximum benefits under this chapter.

(5) The average weekly wage for members of the general court if injured while occupied on official duty for the general court shall be

deemed to be the average weekly wage that entitles them to the maximum benefits under this chapter.

VIII. Insurance carrier, shall include any corporation, licensed to sell insurance in this state, from which an employer has obtained a workmen's compensation insurance policy in accordance with the provisions of this chapter.

IX. Dependents, shall mean the employee's widow, widower, children, parents, persons in the direct line of ascent or descent, or next of kin, who were wholly or partially dependent, in fact, upon the earnings of the employee for support at the time of the injury. Common law wife or husband of the deceased and posthumous children shall fall within the meaning of this paragraph.

X. Farm, means the operation of farm premises, including the planting, cultivation, producing, growing and harvesting of farming commodities thereon, the raising of livestock and poultry thereon, and any work performed as an incident to or in conjunction with such farm operations. It does not include the operations and activities of employers identified as florists, flower shops, and greenhouses.

**403:2 Election by Employer.** Amend RSA 281:3 as amended by 1961, 194:3 and 1963, 328:2 by striking out said section and inserting in place thereof the following: **281:3 Election by Employer Not Subject to Law.** Any employer, not subject to the provisions of this chapter, may accept its provisions by purchasing valid workmen's compensation insurance applicable to his employment. Such employer shall thereafter be liable to all of his employees in the same manner as subject employers during the period when such insurance remains in force and during such time employees of such employer shall be subject to the provisions and limitations of section 12.

**403:3 Notice of Revocation.** Amend RSA 281:4 as amended by 1961, 194:4 and 1963, 328:3 by striking out said section and inserting in place thereof the following: **281:4 Notice of Revocation.** Revocation of coverage under section 3 by termination of workmen's compensation insurance shall be effective thirty days after the filing of termination notice with the labor commissioner.

**403:4 Liability of Contractor for His Subcontractors.** Amend RSA 281 by inserting after section 4, as amended by 1961, 194:4 and 1963, 328:3 the following new section: **281:4-a Contractor's Liability for Subcontractors.** A contractor as defined in this section, who subcontracts all or any part of a contract shall bear the liability of the subcontractor thereof for the payment of compensation hereunder to the employees of such subcontractor unless such subcontractor has secured the payment of compensation as provided for in this chapter. Any such contractor who shall become liable for such compensation may recover the amount of such

compensation paid and necessary expenses from such subcontractor. A person or organization which contracts with another (1) to have work performed consisting of the removal, excavation or drilling of soil, rock or minerals, or the cutting or removal of timber from land and work done in connection with and in or about the area of such cutting or removal, other than the owner of the land containing such soil, rock, minerals or timber; or (2) to have work performed of a kind which is a regular and recurrent part of the work of the trade, business, occupation or profession of such person or organization, shall for the purposes of this section be deemed a contractor, and such other shall for the purposes of this section be deemed a subcontractor.

**403:5 State Employees.** Amend RSA 281:5 by striking out the same and inserting in place thereof the following: **281:5 State Employees.** The governor and council shall promulgate rules and regulations for the processing of claims of state employees under this chapter. Without in any way limiting the generality of the foregoing, such rules and regulations shall specifically provide for notice of claim and for a hearing process. Any party, including the state, aggrieved by the final decision at the administrative level shall have the same right of appeal to the courts as private employees under sections 37 and 40.

**403:6 Awards to State Employees.** Amend RSA 281:6 as amended by 1959, 255:1 by striking out said section and inserting in place thereof the following: **281:6 Authority for Payment.** The governor is hereby authorized to draw his warrant for the payment of such sum or sums as may be awarded to state employees under the provisions of this chapter and the same shall be charged to funds not otherwise appropriated, except that if the injured person was employed in a department or agency which has received a legislative appropriation for this purpose, the same shall be charged to that department or agency. The comptroller shall keep a record of the sums charged against funds not otherwise appropriated as hereinbefore provided, and shall report the same to the general court, together with a statement of the agency or department or function properly chargeable. The general court, shall, thereupon, by legislation, direct the transfer from the appropriate special funds of such amounts as, in its discretion, should be so transferred, for the reimbursement of the general fund.

**403:7 Application of Statutes.** Amend RSA 281:9 as amended by 1957, 187:15 by inserting after paragraph II the following new paragraph:

III. In the case of employees of the state, compensation shall be made as provided in section 6.

**403:8 Contents of Notice of Injury.** Amend RSA 281:18 as amended by 1955, 98:2 and 1957, 187:9 by striking out said section and inserting in place thereof the following: **281:18 — Contents of Notice.** Notice of

injury in writing on a form prescribed by the labor commissioner shall apprise the employer of the injury, and shall state the name and address of the workman injured, and the date and place of the accident. Said notice shall be executed in duplicate, both copies to be signed by the employee. The employer shall acknowledge receipt of said notice by signing on both original and duplicate and the employee shall retain the duplicate.

**403:9 Medical and Hospital Care.** Amend RSA 281:21 as amended by 1961, 194:9, 1963, 328:7 and 1965, 300:3 by striking out said section and inserting in place thereof the following: **281:21 Medical Hospital Care, etc.** During the first six months after an injury to an employee, an employer subject to this chapter, shall furnish to an injured employee, or cause to be furnished, free of charge, reasonable medical and hospital services, or other remedial care when needed, unless the injured employee shall decline or refuse to allow them to be furnished, and the injured employee, if he so chooses, shall have the right of selection of a duly qualified physician or other remedial care upon due notice to the employer. Such six-months period may be extended from time to time at the discretion of the labor commissioner upon written request of the injured employee to the labor commissioner and after the employer has been given an opportunity to file objections thereto and to be heard thereon. In the event of the loss of an eye, limb, or other member, or the loss of hearing, by reason of said injury, an employer, in addition to the foregoing care, shall upon request, furnish, free of charge, an appropriate artificial appliance to replace such loss. Such aid shall not be considered under the provisions of sections 22 to 26. Whenever an injured employee shall receive medical or hospital benefits, or other remedial care, after expiration of the first six months after an injury, or subsequent to expiration of extension thereof by the labor commissioner, and, due to accident, misfortune, or mistake, fails to file a request for an extension prior to receiving such medical or hospital, or other remedial care, the labor commissioner, following notice to the employer giving opportunity to be heard, may grant an extension retroactively. With respect to accidents occurring after July 1, 1961, whenever an employee has received medical, hospital, or other remedial care during the last six months of the maximum benefit period specified in section 30, pursuant to a six months' extension granted by the labor commissioner, as herein provided, the labor commissioner may grant an extension of such medical and hospital benefits, or other remedial care, upon application duly made therefor, to such extent and for such additional period as he may determine, not exceeding one year, except as otherwise provided. The employer shall be given prompt notice of such request, and, if the employer fails to object within twenty-one days after receipt of written notice of such request, such request shall be granted. If the employer objects within the required time, no such request shall be granted until the injured employee shall have

been examined by three duly licensed physicians, one nominated by the employee, one by the employer, and one by the labor commissioner. The labor commissioner's decision shall be based upon the written reports of such physicians, and shall be subject to review in the same manner as other decisions of the labor commissioner under this act. If, at the end of one year, any such benefits are still being received pursuant to an extension granted hereunder, the injured employee must file an additional request, and the same procedure shall apply, and may be repeated annually in the same manner.

**403:10 Reasonable Value of Services.** Amend RSA 281:21-a as inserted by 1963, 328:8, by striking out said section and inserting in place thereof the following: **281:21-a Reasonable Value of Services.** Whenever medical and hospital services, or other remedial care, are rendered to an injured employee under the provisions of this chapter, and a dispute arises between the employer and the person, firm or corporation rendering such services or care as to the reasonable value thereof, the labor commissioner shall have exclusive jurisdiction to determine the reasonable value of such services or care. Any interested party may petition for a hearing and all interested parties shall be entitled to notice and hearing. In addition, the commissioner may consult with not less than three members of the same profession as the creditor concerned in the subject dispute and thereafter determine the reasonable value for such services or care. Each of the following organizations shall be entitled to submit to the labor commissioner the names of ten members of their organization who shall comprise a panel from which the commissioner shall choose individuals with whom to consult: (a) New Hampshire Medical Society, (b) New Hampshire Osteopathic Society, (c) New Hampshire Dental Society. Nothing herein contained shall be construed as a bar to the commissioner, for purposes of complying with this section, consulting with any other professional individuals, provided that said individuals shall be engaged in the private practice of their profession and not in the employ of the employer of the patient or any party or agent acting on behalf of the employer, and no individual who is not engaged full time in the private practice of his profession shall be eligible for membership on any of the panels aforesaid. Following hearing as aforesaid and such further investigation as he may choose to conduct, the labor commissioner shall make his findings as to the reasonable value of such services or care rendered and such findings shall be final.

**403:11 Payment Without Prejudice.** Amend RSA 281 by inserting after section 36, as amended by 1955, 291:2 and 1965, 300:9, the following new section: **281:36-a Payment Without Prejudice.** No payment of any benefits under this chapter shall in any way prejudice the rights of an employer or insurance carrier in any dispute regarding the question of whether or not an injury or occupational disease arose out of and during the course of an employee's service.

**403:12 Rules: Witnesses and Blanks.** Amend RSA 281:41 as amended by 1957, 187:15 by striking out said section and inserting in place thereof the following: **281:41 — Rules; Witnesses; Blanks.** All process and procedure under the provisions of this chapter shall be as summary and simple as reasonably may be. Said labor commissioner may make rules not inconsistent with such provisions, for carrying out the same and shall prescribe necessary forms as he deems necessary to facilitate or promote the efficient administration of such provisions. Said labor commissioner shall have the power, so far as it is necessary for the determination of matters within his jurisdiction, to subpoena witnesses, administer oaths and to examine the books and records of parties to such proceedings. The superior court shall, by proper proceedings, have power to enforce the attendance and testimony of witnesses and the production and examination of books, papers and records before said labor commissioner.

**403:13 Compensation for Death.** Amend the introductory paragraph of RSA 281:22 as amended by 1955, 98:3 and 4; 1957, 187:10 and 13; 1959, 187:12; 1961, 194:10; 1963, 328:9; and 1965, 300:4 by striking out the same and inserting in place thereof the following: **281:22 Compensation for Death.** If death results from the injury, the employer shall pay to, or for the dependents of the deceased employee, as defined in section 2, for a period not to exceed three hundred and forty-one weeks, a weekly compensation equal to sixty-six and two-thirds per cent of the deceased employee's average weekly wages, but not less than twenty nor more than fifty-eight dollars per week unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week, in which case the compensation shall be the full amount of said average weekly wages; provided that the total amount payable on account of a single death shall not exceed the sum of nineteen thousand seven hundred seventy-eight dollars. Any weekly payments made under sections 23, 25 or 26 shall be deducted from the total period of three hundred and forty-one weeks and the maximum of nineteen thousand seven hundred seventy-eight dollars.

**403:14 Total Disability.** Amend RSA 281:23 as amended by 1955, 98:5; 1957, 187:11; 1959, 187:13; 1961, 194:11; 1963, 328:10; and 1965, 300:5 by striking out the same and inserting in place thereof the following: **281:23 Compensation for Total Disability.** Where the injury causes total disability for work at any gainful occupation the employer, during such total disability, but not including the first seven days thereof, unless such disability continues for seven days or longer, shall pay the injured employee a weekly compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than twenty dollars nor more than fifty-eight dollars per week, unless the injured employee's average weekly wages as defined herein are less than twenty dollars

per week, in which case the compensation shall be the full amount of said average weekly wages. Whenever total disability has continued for a period of six successive years and still continues, further payments of compensation during continued total disability shall be made only upon order of the labor commissioner. The injured employee shall apply to the labor commissioner for further weekly benefits during such continued total disability. The employer shall be given prompt notice of such request, and if the employer fails to object within twenty-one days after receipt of written notice of such request, the request shall be granted. If the employer objects within the required time, the request shall not be granted until the injured employee has been examined by three duly licensed physicians, one nominated by the employee, one by the employer, and one by the labor commissioner. The labor commissioner's decision shall be based upon the written reports of such physicians, and shall be subject to review in the same manner as other decisions of the labor commissioner under this chapter. If additional benefits are awarded, they shall not be awarded for a period in excess of one year, and payments shall cease if total disability ends during the extension granted. If, at the end of one year, any such benefits are still being received pursuant to an extension hereunder, the injured employee must file an additional request, and the same procedure shall apply, and may be repeated annually in the same manner.

**403:15 Partial Disability.** Amend the introductory paragraph of RSA 281:26 as amended by 1955, 98:8; 1963, 328:12 and 1965, 300:6 by striking out the same and inserting in place thereof the following: **281:26 Permanent Partial Disability.** In case of disability partial in character but permanent in quality, compensation shall be computed and payable as follows: (1) during the actual healing periods hereinafter mentioned, compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than twenty dollars nor more than fifty-eight dollars per week, (unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week in which case the compensation shall be the full amount of said average weekly wages) shall be payable: (2) for the specific injuries hereinafter mentioned, compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than twenty dollars nor more than fifty-six dollars and fifty cents per week, (unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week in which case the compensation shall be the full amount of said average weekly wages) shall be payable.

**403:16 Maximum Benefits.** Amend RSA 281:30 as amended by 1955, 98:9; 1957, 187:14; 1959, 187:14; 1961, 194:13; 1963, 328:14 and 1965, 300:7 by striking out in line four the words "fifty dollars" and inserting in place thereof the words (fifty-eight dollars) so that the section as amend-



ed shall read as follows: **281:30 Maximum Benefits.** In no case, except as provided in sections 23, 26 and 29, shall the weekly compensation payable under this chapter exceed sixty-six and two-thirds per cent of the average weekly wages, or exceed fifty-eight dollars per week in amount, nor shall any payments, including medical, hospital services, and other remedial care under section 21 except as specifically provided therein, extend over a period of more than three hundred and forty-one weeks from the date of injury.

**403:17 Permanent Partial Disability.** Amend paragraph I of RSA 281:26-a, as inserted by 1959, 187:6 by striking out the said paragraph and inserting in place thereof the following: I. Payments for permanent, partial disability under section 26 of this chapter shall be paid weekly from the date of determination of the permanent, partial disability.

**403:18 Second Injury Fund.** Such parts of RSA 281:48, as amended, as provide for payments into the second injury fund are hereby suspended for the period of July 1, 1967, to July 1, 1969.

**403:19 Repeal.** RSA 281:7 as amended by 1961, 194:6 and 1963, 328:4, relative to acceptance of the workmen's compensation law by municipalities, is repealed.

**403:20 Effective Date.** I. Paragraphs II and IV of RSA 281:2 and subparagraph (5) of paragraph VII of RSA 281:2 as they are inserted by section 1 of the act, insofar as they affect members of the general court, and all other provisions of this act that affect members of the general court, shall take effect as of January 4, 1967.

II. Except as stated above, sections 1, 4, 5, 8, 12 and 19 of this act shall take effect October 1, 1967.

III. All other provisions of this act shall take effect July 1, 1967.  
[Approved July 7, 1967.]

[Effective date as provided for in section 20.]

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## CHAPTER 404.

AN ACT ESTABLISHING A SCHEDULE OF COSTS IN THE SUPERIOR COURT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**404:1 Costs in the Superior Court; Writs, etc.** Amend RSA 525:13 by striking out the section and inserting in place thereof the following: **525:13 Writs, etc.** There shall be allowed in bills of cost taxed in the superior court:

For service or publication, the actual cost.

For entry, the actual cost.

For orders of notice for service in hand or by publication, the actual cost.

For taxation of costs, one dollar.

**404:2 Costs in the Superior Court; Travel, etc.** Amend RSA 525:14 by striking out the section and inserting in place thereof the following: **525:14 Travel, etc.** Parties as named in affidavit of attendance shall be allowed in civil cases:

For travel in default cases, no mileage.

For travel in contested cases, ten cents per mile for actual mileage at the term of the trial, such travel not to be allowed beyond the state line. A minimum of ten miles of travel shall be allowed each party.

For attendance in default cases, nothing.

For each day's attendance during trial of a jury-waived case, as named in affidavit of attendance, five dollars.

For each day's attendance during trial of a jury case, as named in affidavit of attendance, ten dollars.

**404:3 Costs in the Superior Court; Witnesses; Expenses of View; Reserved Case; Transcript.** Amend RSA 525 by inserting after section 14 the following new section: **525:14-a Witnesses; Expense of View; Reserved Case; Transcript.** There shall be allowed in bills of cost taxed in the superior court:

For witnesses, as named in affidavit of attendance, five dollars for each day's attendance and ten cents for each mile of travel to and from the place of testifying, such travel not to be allowed beyond the state line. A minimum of ten miles of travel shall be allowed each witness.

For expert witness fees, no costs shall be allowed except on motion and order of the court.

For expense of view, the actual cost.

For printing the reserved case, the actual cost.

For cost of transcript, the actual cost.

**404:4 Repeal.** RSA 525:15 and 17, relative to general limitations on costs for attendance and travel, are hereby repealed.

**404:5 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

**CHAPTER 405.**

AN ACT RELATIVE TO THE NEW HAMPSHIRE RETIREMENT SYSTEM AND THREE  
OF ITS PREDECESSOR SYSTEMS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**405:1 Base Pay.** Amend RSA 100-A:1, XVII (supp) as inserted by 1967, 134:1 by striking out said paragraph and inserting in place thereof the following: XVII. "Earnable compensation" shall mean the full base rate of compensation paid to an employee, teacher, permanent policeman or permanent fireman, plus any longevity and holiday pay, plus, in the case of teachers, such additional amounts as may be paid for extra-curricular educational activities or cost-of-living bonus. In cases where compensation includes maintenance the board of trustees shall fix the value of that part of the compensation not paid in money. Notwithstanding the foregoing, in the case of employees or teachers, the earnable compensation of a member whose compensation is reduced for any reason shall, at the election of the employee or teacher made at the time of such reduction, be deemed for the purposes of the retirement system to be continued at the higher rate. Such election shall be irrevocable.

**405:2 Definition.** Amend RSA 100-A:1, XIX (supp) as inserted by 1967, 134:1 by striking out said paragraph and inserting in place thereof the following: XIX. "Accumulated contributions" shall mean the sum of all the amounts deducted from the compensation of a member together with any amount transferred to the account of the member established pursuant to this system from the respective account of said member under one or more of the predecessor systems, with interest thereon, as provided in subparagraph g of paragraph II of section 16.

**405:3 Membership.** Amend RSA 100-A:3, II (supp) as inserted by 1967, 134:1 by striking out said paragraph and inserting in place thereof the following: II. Any person who was a member of or participant in one of the predecessor systems immediately preceding the date of establishment, and who contributed to such predecessor system on the basis of his full base rate of compensation may become a member: (1) as of January 1, 1968 provided that on or before November 30, 1967 he shall have filed with the board of trustees, on a form prescribed by said board, a notice of his election to become a member of the retirement system; or, (2) as of July 1, 1968 provided that on or before May 1, 1968 he shall have filed as provided above. Such election, when filed, shall be irrevocable.

**405:4 Extension of Service.** Amend RSA 100-A:5, -I (a) (supp) as inserted by 1967, 134:1 by striking out said subparagraph and inserting in place thereof the following: (a) Any group I member in service may

retire on a service retirement allowance upon written application to the board of trustees setting forth at what time, not less than thirty days nor more than ninety days subsequent to the filing thereof, he desires to be retired, provided the member at the time so specified for his retirement has attained age sixty and notwithstanding that during such period of notification he may have separated from service. Any group I member in service as an employee who attains age seventy, except an elected or appointed official of the state, shall be retired forthwith or on the first day of the next following month. Any group I member in service as a teacher who attains age sixty-five shall be retired at the end of the then ensuing school year, unless said member shall request an extension of service. Extensions of service in the case of teachers shall be requested of the state board of education on the recommendation of the superintendent of schools. The extensions shall be granted on a year-to-year basis, and in no event beyond the member's attainment of age seventy or the school year in which he shall have attained age seventy.

**405:5 Group I Accidental Death Benefits.** Amend RSA 100-A:8, I, (a) (supp) as inserted by 1967, 134:1 by striking out said subparagraph and inserting in place thereof the following: (a) If, upon the receipt by the board of trustees of proper proof of the death of a group I member in service indicating that such death was the natural and proximate result of an accident occurring while in the performance of duty at some definite time and place, the board decides that death was the result of an accident in the performance of duty and not caused by wilful negligence on the part of the member, a state annuity shall be paid to his widow, to continue during her widowhood; or if there is no widow, or if the widow dies or remarries before the youngest child of the deceased member has attained age eighteen, then to his child or children under such age, divided in such manner as the board in its discretion shall determine, to continue as a joint and survivorship state annuity for the benefit of such child or children under said age until every child dies or attains said age; or if there is no widow or child under age eighteen living at the death of the member, then to his dependent father or dependent mother as the board shall determine, to continue for life; or if the deceased member is a female, the foregoing benefits shall be payable to her widower, children or dependent parents only in like manner and amount; provided that if none of the aforementioned beneficiaries is living at the death of the member no benefit shall be payable under the provisions of this section.

**405:6 Group II Accidental Death Benefits.** Amend RSA 100-A:8, II, (a) (supp) as inserted by 1967, 134:1 by striking out said subparagraph and inserting in place thereof the following: (a) If, upon the receipt by the board of trustees of proper proof of the death of a group II member in service indicating that such death was the natural and proximate re-

sult of an accident occurring while in the performance of duty at some definite time and place, the board decides that death was the result of an accident in the performance of duty and not caused by wilful negligence on the part of the member, a state annuity shall be paid to his widow, to continue during her widowhood; or if there is no widow, or if the widow dies or remarries before the youngest child of the deceased member has attained age eighteen, then to his child or children under such age, divided in such manner as the board in its discretion shall determine, to continue as a joint and survivorship state annuity for the benefit of such child or children under said age until every child dies or attains said age; or if there is no widow or child under age eighteen living at the death of the member, then to his dependent father or dependent mother as the board shall determine, to continue for life; or if the deceased member is a female, the foregoing benefits shall be payable to her widower, children or dependent parents only in like manner and amount; provided that if none of the aforementioned beneficiaries is living at the death of the member no benefit shall be payable under the provisions of this section.

**405:7 Board of Trustees.** Amend RSA 100-A:14, I (supp) as inserted by 1967, 134:1 by striking out said paragraph and inserting in place thereof the following: I. The administration of this system is vested in a board of eleven trustees. Three of the trustees shall be the state treasurer, the bank commissioner and the comptroller. The treasurer shall serve as chairman of said board of trustees and as chairman of each subcommittee. The remaining eight members of the board shall consist of two employees, two teachers, two permanent policemen, and two permanent firemen. The New Hampshire State Employees' Association, the New Hampshire Education Association, the New Hampshire Police Association, and the New Hampshire State Permanent Firemen's Association shall each annually nominate from their members a panel of five persons, all of whom shall be members of the retirement system, or one of the four predecessor systems, no later than May 31 of each year, and the panels so named shall be filed with the secretary of state no later than June 10 of each year. From each of the above named panels the governor, with the approval of council, shall originally appoint two persons, and thereafter one annually to the board. Members appointed to the board in the manner aforesaid shall serve for a term of two years, except that the original appointments of one of the persons from each panel shall be for a term of one year. Each member so appointed shall hold office until his successor shall be appointed and qualified. Whenever a vacancy occurs, the governor and council shall fill the vacancy by appointing a member who shall serve for the unexpired term from the same panel from which the former member was appointed.

The treasurer and the four group I members shall constitute one

subcommittee and the treasurer and the four group II members shall constitute another subcommittee. Each subcommittee shall, relative to the members of their respective group, consider policy problems and make recommendations relative to the same to the board of trustees and consider and make recommendations to the board of trustees concerning applications under the provisions of 100-A:6. Four members of a subcommittee shall constitute a quorum for the transaction of any business.

**405:8 Transfer from Group to Group.** Amend RSA 100-A:18, I (supp) as inserted by 1967, 134:1 by striking out said paragraph and inserting in place thereof the following: **I.** Any person who is a member of the retirement system may transfer his membership group classification as defined in paragraph X of section 1 to the other classification, as therein defined, upon accepting office or employment which makes it possible or mandatory for him to participate in such other classification and if such acceptance of office or employment would make it impossible for him to continue in his former classification.

**405:9 Reinstatement.** Amend RSA 100 by inserting after section 20-b (supp) as inserted by 1965, 344:1 the following new section: **20-c Reinstatement.** Any state employee who withdrew membership and contributions in 1956, but re-entered the system in said year, shall, upon repayment of the sum withdrawn, plus compound interest at a rate to be set by the board be automatically reinstated with the contribution obligations and all benefit of the system as though such withdrawal had never occurred.

**405:10 Firemen's Monthly Payments.** Amend RSA 102:15 as amended by 1957, 15:3 and 1963, 245:1 by striking out in lines twenty-four and twenty-five the words "on the first business day of each calendar month" and inserting in place thereof the following (monthly) so that said section as amended shall read as follows: **102:15 Retirement.** Any permanent fireman who retires or is dismissed from active service as provided in section 13, and who shall have complied with all provisions of this chapter and with the rules and regulations of the board, shall be entitled to receive from said board for each year during the remainder of his natural life retirement benefits based upon his average final salary, as defined hereinafter, at the rates in the following table:

Age at Retirement	Retirement Benefits (per cent of average final salary)
55	48.9
56	52.0
57	55.3
58	58.8
59	62.5

60	66.7
61	(Benefits to exceed
62	(66.7 per cent as
63	(may be determined
64	(by board upon actu-
65	(arial valuations

The "average final salary" shall mean the highest average annual earnable compensation of a member during any five consecutive years of service prior to the date of retirement or dismissal, as determined by the board. The retirement benefits shall be paid to the retired member monthly in as nearly equal monthly installments as possible. No permanent fireman who has retired under the provisions of this chapter shall be paid for any service performed in the fire department during the time of his retirement unless it be for specific duty during a period of public emergency. The board shall have the right to further increase the actuarial table of rates of retirement benefits accruing to members retiring on account of age, between the ages of 55 and 65 inclusive, based upon periodic actuarial valuations of the retirement system.

**405:11 Policemen's Monthly Payments.** Amend RSA 103:14 as amended by 1957, 50:4 and 189:3; 1961, 191:4 and 1963, 238:5 by striking out in line twenty-seven the words "on the first business day of each calendar month" so that said section as amended shall read as follows: **103:14 Retirement Benefits.** Any permanent policeman who retires or is dismissed from service as provided in section 12 and who shall have complied with all the provisions hereof and with the rules and regulations of the board, shall be entitled to receive from the retirement fund, for each year during the remainder of his life, a sum equal to one-half of his average annual salary for the five years in the last ten years next preceding his retirement during which his annual salary was the highest, as determined by the board, but in no event shall this sum be less than twelve hundred dollars; provided, however, that in the case of a policeman employed by a city having a population of more than thirty-four thousand inhabitants, such sum shall be equal to one-half of the assessed part of his average annual salary for the five years next preceding his retirement; and further provided, that if at the time of his retirement he shall have served as a permanent policeman for a period of less than twenty-five continuous years, such sum as computed above shall be reduced pro rata in the proportion which the actual number of completed years of continuous service bears to twenty-five. Anything to the contrary notwithstanding, an appropriate adjustment, as determined by the board under rules uniformly applicable to all policemen similarly situated, shall be made in the sum otherwise payable to the policeman if at any time subsequent to July 1, 1953 or subsequent to the date of his accepting these provisions, if later, the rate of assessment upon the

assessable part of his annual salary has been less than five and three-fourths per cent or if at any time subsequent to July 1, 1961 or the date of such acceptance, if later, the rate of assessment has been less than six and eighty-five one-hundredths per cent of his annual salary. Retirement benefits shall be paid in equal monthly installments.

**405:12 Three Years Military Service.** Amend RSA 100-A:4 (supp) as inserted by 1967, 134:1 by inserting after paragraph IV the following new paragraph:

V. Notwithstanding the provisions of paragraph IV any member who after the date of establishment terminates his employment in order to enter directly into the armed forces of the United States or other emergency wartime service of the United States approved by the board of trustees and the period of such military or wartime service does not exceed three years, shall be entitled to service credit for the period of such service, provided he again becomes employed within a year after termination of such service, unless he is prevented from such reemployment by virtue of disability incurred during the period of such service.

**405:13 Credit for Prior Service.** Amend RSA 100 by inserting after section 20-C (supp) as inserted by 1965, 344:1 the following new section:  
**100:20-d Certain Legislative Employees.** Any person who was a member of the retirement system on July 1, 1967, and who at the time he became such member had been employed by the legislature at a number of consecutive sessions thereof including the session immediately prior to the time he became such a member shall be entitled to service credit for such legislative employment provided he shall elect within a time approved by the board to make all payments to the system which would have been due had he been a member at the beginning of such legislative employment, and provided further that no such credit or payment shall be allowed or required for legislative service prior to July 1, 1945.

**405:14 Effective Date.** This act shall take effect upon its passage.  
[Approved July 7, 1967.]  
[Effective date July 7, 1967.]

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## CHAPTER 406.

AN ACT RELATIVE TO A REFERENDUM BY THE VOTERS OF THE CITY OF  
CLAREMONT CONCERNING THE PROPOSED HIGH-LEVEL DAM.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**406:1 Referendum.** There shall be submitted to the voters of the city of Claremont at the next regular municipal election in 1967 the



following questions concerning the proposed high-level dam: "1. Are you in favor of the erection within the city of Claremont of a high level dam as proposed by the U. S. Engineer Corps? If you have voted, yes, on question 1 - 2. Do you favor the high level dam only if the state shall have a recreational area appended thereto?" The city clerk then in office shall cause these questions to be placed at the bottom of the regular election ballot for city officers. Beneath each of the questions shall be printed the word "Yes" and the word "No" with a square immediately opposite each word in which the voter may indicate his choice. The referendum concerning these questions shall be conducted in every way, except as otherwise herein provided, in the same manner as the election of officers. Within ten days after said election the city clerk shall certify to the secretary of state the result of said vote.

**406:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

\*This act is a private act and not public.

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## CHAPTER 407.

### AN ACT ALLOWING THE PAYMENT OF INTEREST IN WORKMEN'S COMPENSATION CASES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**407:1 Interest Payable in Workmen's Compensation Cases.** Amend RSA 524:1-b (supp) as inserted by 1957, 201:1 and amended by 1963, 293:1 by striking out said section and inserting in place thereof the following: **524:1-b Interest from Date of Writ.** In all other civil proceedings at law or in equity in which a verdict is rendered or a finding is made for pecuniary damages to any party, whether for personal injuries, for wrongful death, for consequential damages, for damage to property, business or reputation, for any other type of loss for which damages are recognized, or for compensation due under the provisions of RSA 281, workmen's compensation law, and awarded by a superior court on appeal from a ruling of the labor commissioner pursuant to RSA 281:37 and 40, there shall be added by the clerk of court to the amount of damages interest thereon from the date of the writ or the filing of the petition to the date of entry of final judgment, even though such interest brings the amount of the verdict or findings beyond the maximum liability imposed by law; provided, however, that in workmen's compensation cases, interest shall not be allowed for future disability benefits not due and payable until after entry of final judgment.

**407:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 408.

### AN ACT CLASSIFYING A ROAD IN THE TOWN OF MADISON AS A CLASS III RECREATIONAL ROAD.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**408:1 Classifying a Class III Recreational Road.** Amend RSA 231:6-a (supp) as inserted by 1961, 170:1 and amended by 1965, 68:1 by inserting after paragraph II the following new paragraph: III. The existing town road to Madison Boulder in the town of Madison beginning at the junction of a private road approximately 0.1 mile northwesterly of the B & M Railroad Crossing and running to the end of the road at Madison Boulder, a total distance of approximately 0.55 of a mile, after the road has been improved to standards satisfactory to the commissioner of public works and highways with funds other than highway funds.

**408:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 409.

### AN ACT TO AMEND THE MEALS AND ROOMS TAX.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**409:1 Schools.** Amend paragraph IX of RSA 78-A:3 (supp) as inserted by 1967, 213:1 by striking out the words "incorporated nonstock" and by striking out the words "including an institution empowered to confer educational, literary, or academic degrees" so that said paragraph as amended shall read as follows: IX. "School" means an educational institution which has a regular faculty, curriculum, and organized body of pupils or students in attendance throughout the usual school year, and which keeps and furnishes to students and others the records re-

quired and accepted for entrance to a school of secondary, collegiate or graduate rank. No part of the earnings of the institution may inure to the benefit of any individual.

**409:2 Taxable Meal.** Amend the introductory paragraph of paragraph X of RSA 78-A:3 (supp) as inserted by 1967, 213:1 by striking out the same and inserting in place thereof the following: "Taxable meal" means any foods or beverages, including alcoholic beverages, prepared for human consumption for which a charge of one dollar or more is made, and which are purchased from persons in the business of operating restaurants, cafes, lunch counters, private or social clubs, cocktail lounges, hotel dining rooms, catering businesses, and other eating or drinking establishments, whether served for consumption on or off the premises. Any charge for admission or minimum charge made by such a person shall be deemed a charge for such a meal. The following are not taxable meals:

**409:3 Pre-packaged Food.** Amend paragraph X of RSA 78-A:3 (supp), as inserted by 1967, 213:1, by inserting after sub-paragraph (h) the following new sub-paragraph:

(i) Pre-packaged foods sold in bulk in unopened original containers including bread, milk, canned goods, packaged ice cream, cartons of soda, cartons of beer, and over the counter sales of packages of bulk food sold by weight or measure either pre-packed or packaged by the operator. In a combination eating establishment and retail grocery store where foods are sold over the counter the sale of pre-packaged foods does not constitute the sale of a taxable meal.

**409:4 Summer Camps.** Amend RSA 78-A:3 (supp) as inserted by 1967, 213:1 by inserting after paragraph X the following new paragraph: XI. "Summer camp for children" means a summer camp for children under the age of eighteen years.

**409:5 Signing Returns.** Amend RSA 78-A:8 as inserted by 1967, 213:1 by striking out in line five the words "swear to, sign" and inserting in place thereof the words (sign under the penalty of perjury) so that the said section as amended shall read as follows: **78-A:8 Returns and Payment.** The taxes imposed by this chapter are due and payable in quarterly installments on or before the last day of the calendar month succeeding the quarter ending the last day of March, June, September and December of each year. Each operator shall make out, sign under the penalty of perjury, and file with the commission a return for each quarter. The return shall be on a form prescribed and provided by the commission which shall distribute the return forms to the operators. No operator is excused from liability for failure to file a return or pay the tax because he has failed to receive a form. Any operator wilfully making

a false return is guilty of perjury. A remittance for the amount of taxes shall accompany each quarterly return.

**409:6 Appeals.** Amend paragraph III of RSA 78-A:13 (supp) as inserted by 1967, 213:1 by striking out in line seven the word “requested” and inserting in place thereof the word (granted) so that the said paragraph as amended shall read as follows: III. The court shall take from the appellant a bond or recognizance to the state, with surety, to prosecute the appeal to effect, and to comply with the orders and decrees of a court in the premises. Such appeals shall be preferred cases for hearing on the docket of the court. The court may grant such relief as may be equitable, and may order the state treasurer to pay to the aggrieved taxpayer the amount of the relief granted with interest at the rate of six per cent per year. Upon all appeals which are denied costs may be taxed against the appellant at the discretion of the court, but the court may not tax costs against the state.

**409:7 Collection of Taxes.** Amend paragraph I of RSA 78-A:20 (supp) as inserted by 1967, 213:1 by striking out in lines four and five the words “contract on this statute” and inserting in place thereof the word (debt) so that said paragraph as amended shall read as follows: I. All taxes required to be paid by operators, and all increases, interest, and penalty on the taxes, become from the time due and payable to the commission a personal debt from the operator liable to pay them to the state to be recovered in an action of debt.

**409:8 Disposition of Funds.** Amend the lettered phrase (b) of RSA 78-A:23 (supp), as inserted by 1967, 213:1, by striking out the same and inserting in place thereof the following:

(b) Forty per cent to the unincorporated places, towns, and cities on a per capita basis at the ratio of the population of the place, town, or city to the population of the state, based on the latest resident population figures furnished by the office of planning and research of the department of resources and economic development.

**409:9 Planning and Research.** Amend RSA 78-A, as inserted by 1967, 213:1 by inserting after section 24 the following new section: **78-A:25 Population Figures.** The office of planning and research of the department of resources and economic development is hereby directed to compile annually the resident population figures for the state as of June thirtieth and shall certify the same to the state treasurer on or before August 19th of each year.

**409:10 Change in Effective Date.** Amend 1967, 213:2 by striking out said section and inserting in place thereof the following: 213:2 This act shall take effect upon its passage, except that the tax imposed by RSA 78-A:6 as inserted by this act shall take effect on August 19, 1967.

**409:11 Licenses.** Amend RSA 78-A:4 by striking out the same and inserting in place thereof the following: **78-A:4 Licenses Required.** No later than the effective date of the tax imposed by section 78-A:6 of this chapter each operator shall register with the commission the name and address of each place of business within the state where he operates a hotel or sells taxable meals. The operator shall pay the sum of one dollar for each registration, upon receipt of which the commission shall issue a license for each place in such form as it determines, attesting that the registration has been made. The license expires on the thirtieth day of June in each odd numbered year unless sooner revoked or suspended by the commission. Any person commencing business as an operator after the effective date of the tax imposed by this chapter shall register and obtain a license. Failure to register and obtain a license as herein provided shall constitute a misdemeanor punishable by a fine not exceeding one hundred dollars.

**409:12 Appropriation.** For the purpose of the administration of RSA 78-A, as inserted by 1967, 213:1 there is hereby appropriated the sum of sixty-five thousand, eight hundred and eleven dollars for the fiscal year ending June 30, 1968 and there is hereby appropriated the sum of forty-eight thousand three hundred and fourteen dollars for the same purpose for the fiscal year ending June 30, 1969. Said sums shall be expended by the tax commission as follows:

Personal services

	Fiscal year 1967-1968	Fiscal year 1968-1969
Tax Examiner (3)	\$20,100	\$21,600
Bookkeeping machine operator III (1)	3,912	4,125
Clerk stenographer II (1)	3,717	3,832
Account clerk II	3,717	3,832
Temporary help and overtime	4,000	4,000
	<hr/>	<hr/>
	\$35,446	\$37,389
Current expenses	4,475	3,925
Rent	1,500	1,500
Travel	6,500	6,500

Equipment

Bookkeeping machine	\$ 8,000
Elliott stencil machine	3,200
Elliott stencil cutter (electric)	800
Desks (6)	920
Chairs (6)	470
Typewriters (electric) (2)	900
Adding machines (w/cases) (4)	1,200

Calculator	800	
Files 5-drawer (15)	1,500	
	<hr/>	
	17,890	
	<hr/>	
Total	\$65,811	\$49,314
		<hr/>

The sums hereby appropriated shall be a charge upon the room and meals fund as established by RSA 78-A:23, as inserted by 1967, 213:1. The governor is authorized to draw his warrant for the sums hereby appropriated out of the general funds in so far as may be necessary prior to the collection of taxes under said chapter. The general funds shall be reimbursed for any such expenditures when taxes are collected as provided in RSA 78-A:24.

**409:13 Effective Date.** This act shall take effect upon its passage.  
 [Approved July 7, 1967.]  
 [Effective date July 7, 1967.]

## CHAPTER 410.

AN ACT TO PROVIDE SPECIAL TRAINING PROGRAMS FOR TECHNICAL SERVICES  
 IN THE AREA OF HEALTH, AND MAKING APPROPRIATIONS THEREFORE.

*Be it Enacted by the Senate and House of Representatives in General  
 Court convened:*

**410:1 New Chapter.** Amend RSA by inserting after chapter 188-A, as inserted by 1961, 267:1 and as amended by 1965, 186 and 1967, 13, the following new chapter:

### Chapter 188-B Allied Health Professions

**188-B:1 Declaration of Purpose.** The purpose of this chapter is to provide facilities and curriculum for special training of technicians in the fields of allied health professions and occupations. The special training for said fields shall be such as to meet accreditation requirements from said professions or occupations and also to meet requirements for federal aid.

**188-B:2 Administration.** The state board of education is charged with the administration of this chapter and is authorized within the funds appropriated therefor, to employ teachers, administrative staff and such other employees as may be necessary to carry out the provisions hereof. Said board is authorized and directed, to locate the facilities for any train-

ing program hereunder at the state technical institute, and to establish and implement curricula for as many of said professions as soon as possible, and to make application for and receive any and all federal grants or assistance available. The state board shall study the feasibility for the expansion and greater implementation of the general purposes of this chapter including the establishment of new facilities for the purposes hereunder and shall make recommendations to the next session of the legislature relative to the matter.

**188-B:3 Acceptance of Federal Funds, Gifts, and Grants.** The governor and council, upon recommendation of the state board of education is authorized to apply for financial or any other aid which the United States has authorized or may authorize to be given to the several states for training for health services, including but not limited to the Allied Health Professions Personnel Training Act of 1966 and the Nurse Training Act of 1964. Federal funds made available to the state for purposes hereof shall be expended by the state department of education in accordance with the terms of the federal grant.

**188-B:4 Advisory Board; Established.** There is hereby established an advisory board on technical services in the area of health. Said board shall consist of nine members appointed by the governor and council, five of whom shall be from persons recommended by the following organizations: One member from two persons recommended by the State Nurses Association, one member from two persons recommended by the New Hampshire Dental Society one member from two persons recommended by the New Hampshire chapter of the American College of Radiology, one member from two persons recommended by the New Hampshire Society of Pathologists, one member from two persons recommended by the New Hampshire Hospital Association, and four members from the public. The board shall organize and elect its own chairman.

**188-B:5 — Term of Office.** The term of office of each member of said board shall be for five years provided that for the first appointments hereunder, two shall be appointed for terms of two years each, two shall be appointed for terms of three years each, two shall be appointed for terms of four years each, and three shall be appointed for terms of five years each. Vacancies shall be filled in the same manner as original appointments for the unexpired term of any member and the members shall serve until their successors are appointed and qualified.

**188-B:6 — Duties.** It shall be the duty of the board established by section 4 to advise the state board of education on curriculum and subjects to be offered, on the location of facilities and shall act in a continuing advisory capacity on all matters relative to this chapter.

**188-B:7 — Compensation.** The members of the board shall receive no compensation but shall be reimbursed for their mileage and expenses

when engaged in their official duties, mileage for members of the board who are legislators shall be at the legislative mileage rate.

**188-B:8 Specialized Advisory Boards.** The state board of education may appoint special advisory boards relative to any of the allied health professions to assist and advise it in all matters pertaining thereto.

**410:2 Planning and Immediate Application to Federal Government.** The state board of education is hereby directed to apply forthwith for any federal funds available for the purposes of this act and to report to the fiscal committee of the general court and the governor on the progress of all such applications as often as and in the form requested by said committee. In order to expedite the implementation of the purposes of this act the said board is directed no later than January 1, 1968, to employ an architect and to enter into a contract with him as provided in RSA 228, to draw complete plans for all construction provided for by this act so that said plans will be available for submission to the federal government in sufficient time to assure so far as possible the granting of said federal funds.

**410:3 Operating Appropriation for the Biennium.** There is hereby appropriated for the biennium ending June 30, 1969, the sum of sixty thousand dollars to be expended by the state board of education for the employment of administrative, instructing, consultant, and clerical personnel and the payment of the expenses of and the purchase of supplies for said personnel. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

**410:4 Construction Appropriation.** There is hereby appropriated the following sums for the therein identified purposes:

Health Building	\$769,125	
Equipment	139,000	
		<hr/>
		\$ 908,125
Library building	\$250,000	
Books	40,000	
		<hr/>
		290,000
Expansion of cafeteria		50,000
Expansion of parking facilities		35,000
		<hr/>
Total		\$1,283,125

So much of the total hereinabove appropriated as possible shall be paid for from any federal funds which are or become available and the state funds hereby appropriated shall be reduced in such amount.

**410:5 Bonds Authorized.** To provide funds for the appropriation (s)



made by this act the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of one million two hundred eighty-three thousand one hundred twenty-five dollars and for said purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

**410:6 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 7, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 411.

AN ACT TO CLARIFY THE AUTHORITY OF THE SHORE FISHERIES ADVISORY COMMITTEE IN MAKING REGULATIONS ON TAKING OF MARINE SPECIES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**411:1 Regulations Relating to Marine Species.** Amend RSA 211:62 as inserted by 1957, 251:1, and as amended by 1959, 194:1 and by 1963, 320:1 by striking out the section and inserting in its place the following:  
**211:62 Authority for Regulating Taking of Marine Species.** Rules and regulations relating to the taking of marine species may be made by the director of the fish and game department with the approval of the fish and game commission, and upon the advice and cooperation of the advisory committee of shore fisheries. For the purposes of this section, "marine species" includes all fish which usually inhabit salt water, and all shell fish, lobsters, crabs, shrimps, clams, marine worms and economic marine vegetables found in the coastal waters and estuarine waters under the jurisdiction of this state as defined in section 19 of this chapter. The rules and regulations relating to marine species may regulate (a) the size, number, and quantity that may be taken; (b) the areas to be opened or closed to their taking; and (c) the manner of their taking. Existing rules and regulations shall continue in effect until the effective date of new regulations promulgated in accordance with section 211:63.

**411:2 Alternate Member of Shore Advisory Commission.** Amend RSA 210:60-a as inserted by 1959, 156:1 by inserting after paragraph III a new paragraph as follows: IV. Before October fifteenth of each year one alternate member shall be appointed under the procedures of this section for a term of one year, to begin on October fifteenth. The alternate member shall attend all meetings of the advisory committee. If three members are absent, the alternate member may act in the place of one member to make a quorum for the transaction of business, and he may

vote on any motion with all of the powers granted to either a three year or a five year member.

**411:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 412.

### AN ACT REGULATING THE USE OF HOUSEBOATS ON THE SURFACE WATERS OF THE STATE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**412:1 Regulation of Use of Houseboats.** Amend RSA by inserting after chapter 270 the following new chapter:

#### Chapter 270-A Use of Houseboats

**270-A:1 Definitions.** The following words and phrases as used in this chapter shall have the following meanings, unless the context clearly requires otherwise:

I. "Person" means any individual, firm, co-partnership, company, association or joint-stock association, including any trustee, administrator, executor, receiver, assignee or other personal representative thereof.

II. "Houseboat" means any ship, boat, raft, float, catamaran or marine craft of any description upon or within which are located sleeping and toilet facilities, regardless of whether such facilities are of a permanent or temporary nature.

III. "Overnight period" means the period of time between the termination of daylight in the evening to the earliest dawn in the next morning.

IV. "Mooring" means beaching, grounding, or tying of a houseboat to the shore of any of the inland surface waters of the state, and the anchoring of a houseboat on any of the inland surface waters of the state.

**270-A:2 Where Overnight Mooring Permitted.** A houseboat may be beached or grounded, or tied to the shore of any of the inland surface waters of the state for an overnight period, or any part of an overnight period, only when on or at a location owned, leased, or otherwise under the control of the owner or operator of the houseboat, or by permission of the owner, lessee, or person otherwise in control of such location. An

unoccupied houseboat may be anchored on the inland surface waters of the state for an overnight period, or any part of an overnight period, only in an area reasonably adjacent to a location owned, leased, or otherwise under the control of the owner or operator of the houseboat or by permission of the owner, lessee, or person otherwise in control of such location.

**270-A:3 Where Overnight Mooring Prohibited.** No houseboat shall be beached or grounded, or tied to the shore of any of the inland surface waters of the state for an overnight period or any part of an overnight period, except as permitted in section 2 or in cases of emergency. No houseboat shall be anchored on any of the inland surface waters of the state for an overnight period or any part of an overnight period except as permitted in section 2 or in cases of emergency.

**270-A:4 Notification of Mooring of Houseboats Required.** The owner, lessee, or person otherwise in control of a location at or adjacent to which one or more houseboats are anchored, beached, grounded or tied to the shore for an overnight period, or for any part of an overnight period, shall promptly thereafter give notice of this fact, in writing, to the New Hampshire water supply and pollution control commission, stating the number of houseboats moored at such location and the dates of such mooring. Any person who owns or controls a location at which spaces are rented or leased to the general public for the purpose of mooring houseboats at such location, shall keep a log of all houseboats moored at such locations, the name of the owner or other person in control of such houseboats, the registration number of the houseboat, and the dates of such mooring, which log shall be available for inspection at all reasonable times by any agent of the New Hampshire water supply and pollution control commission. When a houseboat is to be moored at the same location for an extended period of time, one written notification of such fact stating the period of time the houseboat will be so moored to the New Hampshire water supply and pollution control commission shall be sufficient to satisfy the requirements of this section. Such written notification shall not be required if the owner of the houseboat furnishes such information on his application for registration of the houseboat to the director of the division of motor vehicles in accordance with the provisions of RSA 270:4.

**270-A:5 Penalty for Overnight Mooring at a Prohibited Location.** If any person shall violate any provision of this chapter relative to mooring a houseboat overnight in a prohibited location, upon conviction thereof he shall be fined not more than fifty dollars for each such violation. Each night of mooring a houseboat in a prohibited location shall be considered a separate violation.

**270-A:6 Penalty for Failure to Give Required Notification of Mooring.** If any person shall violate any provision of this chapter relative to

giving the required notification of mooring to the New Hampshire water supply and pollution control commission, upon conviction thereof, he shall be fined not more than fifty dollars for each such violation.

**270-A:7 Additional Penalty.** In addition to the penalties provided in sections 5 and 6, the court may revoke the New Hampshire registration certificate and the right to obtain such a certificate for any houseboat or motor used for propelling such houseboat in violation of any of the provisions of this chapter, for a period not to exceed one year from the date of conviction.

**412:2 Houseboat Mooring Information on Application for Registration.** Amend RSA 270:4 by inserting at the end of said section the following (Such application shall also contain the following question and statement: "If a boat with temporary or permanent sleeping and toilet facilities (houseboat) and it will be moored at one location in New Hampshire, state where it will be moored? Otherwise, notification of places of mooring of houseboat to New Hampshire water supply and pollution control commission is required in accordance with the provisions of RSA 270-A") so that said section as amended shall read as follows: **270:4 Application.** Every person owning any commercial or private boat shall annually, before operating the same, apply in writing to the director of the division of motor vehicles for registration thereof. Such application may be made to a duly authorized representative of said director or by mail addressed to the director of the division of motor vehicles, and shall be in such a form and contain such information as said director may require. In the case of private boats the proper fee shall accompany the application. In the case of commercial boats the proper fee shall be paid at the time of inspection. Such fees shall be paid before the issuance of a certificate and number plate. Said application shall also contain the following question and statement: "If a boat with temporary or permanent sleeping and toilet facilities (houseboat) and it will be moored at one location in New Hampshire, state where it will be moored? Otherwise, notification of places of mooring of houseboat to New Hampshire water supply and pollution control commission is required in accordance with the provisions of RSA 270-A.

**412:3 Effective Date.** This act shall take effect January 1, 1968.

[Approved July 7, 1967.]

[Effective date January 1, 1968.]

## CHAPTER 413.

AN ACT PROVIDING FOR AN ADDITIONAL ASSISTANT ATTORNEY GENERAL AND  
RELATIVE TO CLERICAL ASSISTANCE IN SAID OFFICE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**413:1 Additional Assistant Attorney General.** Amend RSA 7:16 (supp) as amended by 1957, 315:1 and 1963, 209:1 by striking out the word "six" in line two and inserting in place thereof the word (seven) so that said section as amended shall read as follows: **7:16 Assistant Attorneys General.** The attorney-general, subject to the approval of the governor and council, may appoint seven assistant attorneys-general, each of whom shall hold office for a term of five years. Any vacancy in such office may be filled for the unexpired term. An assistant attorney-general may be removed only as provided by RSA 4:1.

**413:2 Repeal.** RSA 7:14-a as inserted by 1957, 315:3, and 14-b as inserted by 1963, 209:3 relative to legal stenographers are hereby repealed.

**413:3 Number Increased.** Amend RSA 94:1, as amended, by striking out the line item "Assistant attorney general (6) 9,000 13,500" and inserting in place thereof the line (Assistant attorney general (7) 9,000 13,500).

**413:4 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 7, 1967.]

[Effective date July 1, 1967.]

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CHAPTER 414.

AN ACT REQUIRING PAYMENT OF HEAD AND POLL TAXES BY APPLICANTS FOR  
FISHING AND HUNTING LICENSES, AND LICENSES TO TAKE  
CLAMS OR CLAM WORMS OR OYSTERS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**414:1 Application for Hunting and Fishing Licenses; Receipt of Certificate Required.** Amend RSA 214 by inserting after section 11, as amended by 1955, 39:2, 50:17, and 125:1, the following new section: **214:11-a Receipt of Payment of Head and Poll Tax Required.** No person is authorized to procure a license to hunt or fish, or a license to take clams or clam worms or oysters, without first exhibiting to the person issuing the license a receipt indicating that he has paid all head and poll taxes for the preceding year for which he is liable, or instead, a certificate

in writing that he has been lawfully relieved from such payment by reason of exemption or abatement. However, a license may be issued if the selectmen or assessors certify that in their opinion the applicant should be granted such a license even though the taxes have not been paid.

**414:2 Penalties Provided.** Amend RSA 214:12 by striking out said section and inserting in place thereof the following: **214:12 — Penalty for False Receipt or Certificate and for False Statements.** Whoever files a false receipt or certificate relative to the payment of a poll or head tax as herein provided shall be fined ten dollars and his license may be revoked for a period not exceeding three months. Whoever wilfully makes any other false statement for the purpose of procuring a license shall be fined not more than twenty-five dollars. All fines collected for violation of the provisions relating to false receipts or certificates or false statements concerning the payment of poll and head taxes shall be for the use of the towns in which the arrests are made.

**414:3 Repeal.** RSA 214:10, relating to payment of poll tax required, and RSA 214:11, relating to affidavit required, are hereby repealed.

**414:4 Effective Date.** This act shall take effect January 1, 1968.  
[Approved July 7, 1967.]  
[Effective date January 1, 1968.]

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## CHAPTER 415.

### AN ACT RELATIVE TO THE OPERATION OF MOTORCYCLES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**415:1 Licensing Motorcycle Operators; Restriction on Operation of Motorcycles.** Amend RSA 261 by inserting after section 10 the following new section: **261:10-a Special Motorcycle Licenses; Operating Motorcycles.** The director shall cause to be issued a special license for persons to operate motorcycles. Applicants for such a license shall furnish proof of their fitness to operate a motorcycle as the director shall in his discretion determine, which shall include such applicants passing a driver examination conducted on a motorcycle. The director may waive the requirement for such a driving examination upon receipt of adequate evidence of experience in operating a motorcycle by an applicant under such rules and regulations as he may deem necessary. No person shall operate or drive a motorcycle on a public highway of this state, unless such person is duly licensed to operate a motorcycle by a special motorcycle license issued under this section. No person shall knowingly author-

ize or permit the operation or driving of a motorcycle owned by him or in his charge on a public highway of this state by any person who is not duly licensed as herein provided.

**415:2 Existing Licenses Excepted.** Nothing contained in this act shall affect or impair a license issued prior to July 1, 1967, and any licensee whose operator's or commercial operator's license was issued prior to July 1, 1967, shall until the expiration or renewal date of such a license be authorized to operate a motorcycle without having issued to him the special license required under the provisions of RSA 261:10-a.

**415:3 Motor-driven Cycle Defined.** Amend RSA 259:1 as amended by 1957, 283:1; 1959, 207:1; 1963, 273:1, 330:3; and 1965, 274:1 by inserting after paragraph XIV the following new paragraph: XIV-a. "Motor-driven cycle," any motorcycle, including any motor scooter, with a motor which produces not to exceed five horse-power, and any bicycle with motor attached.

**415:4 Only Motorcycle License Required.** Amend RSA 261:11 as amended by An Act relative to licenses to operate motor vehicles passed by the 1967 general court by striking out the same and inserting in place thereof the following: **261:11 Operating Motorcycles.** No person to whom an operator's or commercial operator's license has been issued may operate any registered motorcycle unless he holds a special motorcycle license as provided for by section 10-a. A person who holds a special motorcycle license as provided for by section 10-a may operate or drive any registered motorcycle without holding a commercial operator's or operator's license.

**415:5 Application of Other Statutes.** The limitations, prohibitions and penalties relative to commercial operators licenses and operators licenses and the holders of same contained in RSA Title XXI shall apply so far as possible to the special motorcycle licenses provided for by section 1 of this act, so far as consistent therewith, and to a holder of such a license.

**415:6 Appropriation.** The sum of twenty-nine thousand, six hundred forty-three dollars and two cents for the fiscal year ending June 30, 1968, and the sum of twenty-two thousand three hundred forty-six dollars and seventy-four cents for the fiscal year ending June 30, 1969, are hereby appropriated to be expended by the division of motor vehicles as a charge upon the highway fund for the following purposes.

Fiscal Year ending June 30, 1968

Permanent Personnel:

3 Licensing officers	Grade 11 @ 4400.24	\$13,200.72
3 automobiles	@ 2200.00	6,600.00
3 eye machines	@ 250.00	750.00

Meals and automobile expenses for			
3	licensing officers	@ 1500.00	4,500.00
1	Clerk typist II	Grade 5	3,602.30
1	Typist desk		150.00
1	Typist chair		40.00
1	Electric typewriter		450.00
1	File cabinet		150.00
	Stationery and office supplies		200.00
			<hr/>
			\$29,643.02

Fiscal Year Ending June 30, 1969

3	Licensing officers	Grade 11 @ 4705.50	\$14,122.50
Meals and automobile expenses for			
3	licensing officers	@ 1500.00	4,500.00
1	Clerk typist II	Grade 5	3,724.24
			<hr/>
			\$22,346.74

**415:7 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 7, 1967.]

[Effective date July 1, 1967.]

## CHAPTER 416.

AN ACT TO REGULATE SMALL LOANS UP TO FIVE THOUSAND DOLLARS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**416:1 Maximum Amount.** Amend RSA 399-A:2, I (supp), as inserted by 1961, 245:1 by striking out in line three the words "fifteen hundred" and inserting in place thereof the words (five thousand) so that said paragraph, as amended, shall read as follows: I. No person shall, without first obtaining a license from the commissioner as hereinafter provided, engage in the business of making loans in amounts of five thousand dollars or less and contract for, exact or receive, directly or indirectly, in connection with any such loan any charges, whether for interest, compensation, brokerage, endorsement fees, consideration, expense or otherwise, which in the aggregate are greater than six per cent per annum.

**416:2 Change in Interest Rates.** Amend RSA 399-A:3, I (supp), as inserted by 1961, 245:1, by striking out the same and inserting in place thereof the following: I. A licensee may lend any sum of money, goods, or things of value not exceeding in amount or value five thousand dol-



lars, excluding charges, upon such security not forbidden by section 7 as may be agreed upon, under a contract which permits the combined total of the principal and charges to be paid in substantially equal and consecutive monthly installments and may charge, contract for and receive charges as follows: (a) on loans not exceeding fifteen hundred dollars, two per cent per month on that part of the principal of the loan not exceeding six hundred dollars and one and one-half per cent per month on that part of the principal of the loan from six hundred one dollars through fifteen hundred dollars; (b) on loans from fifteen hundred one dollars to five thousand dollars, one and one-half per cent per month on the entire loan.

**416:3 Split Loans Prohibited.** Amend RSA 399-A:3, II and III (supp), as inserted by 1961, 245:1, by striking out the same and inserting in place thereof the following: II. No licensee shall permit any person, or any husband and wife, jointly or severally, to be obligated to him, on one or more contracts of loan, the total principal balance of which is more than five thousand dollars.

III. No licensee shall induce or knowingly permit any borrower to split up or divide any loan with it or any other licensee. No licensee shall knowingly induce or permit any person, or any husband and wife jointly or severally, to become obligated to him or any other licensee, directly or contingently, or both, under more than one contract of loan at the same time, for the purpose or with the result of obtaining a higher rate of charge than would otherwise be permitted by this section.

**416:4 Repeal.** RSA 399-A:3, V (supp), as inserted by 1961, 245:1, relative to default or deferment charges, is hereby repealed.

**416:5 Computing Charges.** Amend RSA 399-A:3, VI (supp), as inserted by 1961, 245:1, by striking out the same and inserting in place thereof the following: VI. No interest shall be paid, deducted, or received in advance. Interest shall not be compounded and shall be computed only on unpaid principal balances. For the purpose of computing interest, whether at the maximum rate or less, a month shall be considered a calendar month and, where a fraction of a month is involved, a day shall be considered one-thirtieth of a month.

**416:6 Other Charges.** Amend RSA 399-A:3 (supp), as inserted by 1961, 245:1, by inserting after paragraph VII thereof the following new paragraph: VIII. In addition to the interest provided for herein, no further or other charge or amount for any examination, service, brokerage, commission, expense, fee, or bonus or other thing or otherwise, shall be directly or indirectly charged, contracted for, or received, except on actual sale of the security in foreclosure proceedings or upon the entry of judgment. If any interest, consideration or charges in excess of those permitted by this chapter are charged, contracted for, or received, the

contract of loan shall be void and the licensee shall have no right to collect or receive any principal, interest, or charges whatsoever, and the borrower shall be entitled to recover from the lender any sums paid or returned to the lender by the borrower on account of or in connection with the loan.

**416:7 Maximum Term of Loans.** Amend RSA 399-A:4 (supp), as inserted by 1961, 245:1, by striking out the same and inserting in place thereof the following: **399-A:4 Maximum Maturity and Charges Thereafter.** Any loan contract subject to the provisions of this chapter, shall have an originally scheduled final installment date from the date of the loan as follows: not exceeding; twenty-four months for loans the original principal amount of which does not exceed six hundred dollars, thirty-six months for loans the original principal amount of which does not exceed fifteen hundred dollars, and forty-eight months for loans the original principal amount of which exceeds fifteen hundred dollars. Notwithstanding any other provisions of this chapter the charges which may be collected on any loan made under this chapter for the period beginning three months after the originally scheduled final installment date of the loan and ending with date of payment of the loan in full shall not exceed six percent per annum simple interest on the balances outstanding from time to time during said period.

**416:8 Disclosure of Interest Rate.** Amend RSA 399-A:5, I (supp), as inserted by 1961, 245:1 by striking out the same and inserting in place thereof the following: I. Every licensee shall:

(a) mail or deliver to the borrower, or if more than one, to one of them, at the time of making a loan under this chapter, a payment book in which space shall be provided for the record of all payments showing principal, interest and balance and which shall contain statements showing the date of the loan; the amount of the principal of the loan; the total interest charged for the period of the loan; the nature of the security, if any, for the loan; the name and address of the borrower and of the licensee; and the description of schedule of payments on such loans. Said payment book shall also have printed therein the following:

“Interpretation of Interest Charges in the Event Payments are Made when Due.

2% per month = 24% per year or \$13.47 per year on \$100.00

1½% per month = 18% per year or \$10.01 per year on \$100.00”

(b) give to the person making any cash payment on account of any loan a receipt at the time such payment is made; (c) permit payment in advance in amount equal to one or more full installment at any time during the regular business hours of the licensee; (d) upon repayment of a loan in full, mark plainly every note or other evidence of the indebtedness or assignment signed by an obligor with the words “PAID IN FULL” or “CANCELLED” and release or provide the borrower evidence to release

any mortgage or security instrument no longer securing any indebtedness to the licensee.

**416:9 Collateral.** Amend RSA 399-A:7 (supp), as inserted by 1961, 245:1, by striking out the same and inserting in place thereof the following: **399-A:7 Certain Collateral Prohibited.** No licensee shall be permitted to accept, as collateral on a loan under this chapter, (a) real estate, or (b) if the loan is less than one thousand dollars, household furniture presently in use.

**416:10 Conducting Other Businesses.** Amend RSA 399-A:9 (supp), as inserted by 1961, 245:1, by striking out the same and inserting in place thereof the following: **399-A:9 Other Business in the Same Office.** Each licensee shall, on or before August 1st of each year, file with the commissioner a report of operations of the licensed business and any other business pertaining to money lending conducted in the same office for the preceding fiscal year. Such report shall give information with respect to the financial condition of the licensee and shall include balance sheets at the beginning and end of the year; statement of income and expenses for the period; reconciliation of surplus or net worth with the balance sheets; schedule of assets used and useful in the licensed business; classification of loans made by size and security; an analysis of charges including monthly average number and amount of loans outstanding; analysis of delinquent accounts, and court actions undertaken to effect collection. Such licensee report shall be made under the penalties of perjury and shall be in the form prescribed by the commissioner, who shall annually make and publish an analysis and recapitulation of such reports. In the event any person or affiliated group of persons holds more than one license in the state, they may file a composite annual report, in lieu of separate reports for each licensed office provided a short form of report for each licensed place of business shall be included showing the number and amount of loans made during the year and the number and amount of loans outstanding at the beginning and end of the year. Any licensee failing to make the report required by this paragraph within the time prescribed shall pay to the commissioner the sum of five dollars for each day said report is overdue. If a licensee elects to file a composite report and such composite report is not filed on or before August 1st as herein required the penalty herein prescribed shall apply separately for each license held. Penalties collected hereunder shall be credited to the fund established under section 13.

**416:11 Repeal.** RSA 399-A:15 (supp), as inserted by 1961, 245:1 relative to persons presently in the business of small loans, is hereby repealed.

**416:12 Posting.** Amend RSA 399-A:17 (supp), as inserted by 1961, 245:1, by striking out the same and inserting in place thereof the follow-

ing: **399-A:17 License; Posting and Change of Name.** No person, partnership, or corporation shall make any loan of money, credit, goods, or things of value in the amount or to the value of five thousand dollars or less whether secured or unsecured, and charge, contract for, or receive a greater rate of interest than six per cent per annum therefor without holding a license from the bank commissioner. Each such license shall terminate on the first day of April next following its issue. Each license shall remain in full force and effect until surrendered, revoked, suspended or terminated. Each such license shall state the name and address of the licensee and shall be posted in the licensee's place of business. No license shall be transferable or assignable. Before the corporate or trade name under which the licensed business is conducted is changed the licensee shall give notice to the commissioner who shall amend the license accordingly without cost unless, in the opinion of the commissioner, the proposed change of name conflicts or might conflict with any existing registered name of any licensee.

**416:13 Repeal.** RSA 399-A:21, II, (supp) as inserted by 1961, 245:1, relative to audits by accountants is hereby repealed.

**416:14 Dates of Reports Changed.** Amend RSA 399-A:21, III (supp), as inserted by 1961, 245:1 and as amended by 1967, 175:1 by striking out the same and inserting in place thereof the following: **III.** Each licensee shall, on or before August first of each year, file with the commissioner a report of operations of the licensed business for the preceding fiscal year. Such report shall give information with respect to the financial condition of the licensee and shall include balance sheets at the beginning and end of the year; statement of income and expenses for the period; reconciliation of surplus or net worth with the balance sheets; schedule of asset used and useful in the licensed business; classification of loans made by size and security; an analysis of charges including monthly average number and amount of loans outstanding; analysis of delinquent accounts, and court actions undertaken to effect collection. Such report shall be made under the penalties of perjury and shall be in the form prescribed by the commissioner, who shall annually make and publish an analysis and recapitulation of such reports. In the event any person or affiliated group of persons holds more than one license in the state, they may file a composite annual report, in lieu of separate reports for each licensed office provided a short form of report for each licensed place of business shall be included showing the number and amount of loans made during the year and the number and amount of loans outstanding at the beginning and end of the year. Any licensee failing to make the report required by this paragraph within the time prescribed shall pay to the commissioner the sum of five dollars for each day said report is overdue. If a licensee elects to file a composite report and such composite report is not filed on or before August first as herein required

the penalty herein prescribed shall apply separately for each license held. Penalties collected hereunder shall be credited to the fund established under section 13.

**416:15 Advertising.** Amend 399-A:22 (supp) as inserted by 1961, 245:1, by striking out the same and inserting in place thereof the following: **399-A:22 Deceptive Advertising.** No licensee or other person, shall advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever any statement or representation with regard to the rates, terms, or conditions for the lending of money, credit, goods, or things in action in the amount of or of the value of five thousand dollars or less, which is false, misleading or deceptive. The commissioner may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions.

**416:16 Small Loan Companies Exempt.** Amend RSA 384:1 (supp), as amended by 1961, 245:6 and 248:1 by striking out the same and inserting in place thereof the following: **384:1 Application of Title.** The provisions of this title, so far as they properly may, shall apply to state banks, savings banks, or institutions for savings, trust companies, banking companies and all similar corporations, building and loan associations, and credit unions, unless otherwise limited in their operation.

**416:17 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 417.

### AN ACT RELATIVE TO VOCATIONAL REHABILITATION PROGRAMS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**417:1 New Chapter.** Amend RSA by inserting after chapter 200-B as inserted by An Act to create a New Hampshire-Vermont interstate school compact, passed by the 1967 general court, a new chapter as follows:

#### Chapter 200-C

#### Vocational Rehabilitation Programs

**200-C:1 Federal Vocational Rehabilitation Funds.** The commissioner of education, or if the commissioner of education delegates the authority in writing, the chief of the division of vocational rehabilitation

of the department of education, is authorized to make application to and receive funds from; to cooperate with; and to enter into any agreements with the federal government or any agency of the federal government to secure the participation of the United States government through the allotment of federal funds in the vocational rehabilitation program of this state.

**200-C:2 Cooperative Working Agreements.** The commissioner or his delegate is authorized to make agreements between the division of vocational rehabilitation of the state department of education and any other agency of the state or subdivisions of the state or agency of such a subdivision, to assist in the vocational rehabilitation of persons handicapped because of a physical, mental, or social disability.

**200-C:3 State Matching Funds.** The federal funds anticipated under this chapter are to match local funds on the basis of a local matching share of twenty-five per cent of the total expenditure of funds provided for by the federal legislation and the approved state plan of the division of vocational rehabilitation. The funds made available to the division of vocational rehabilitation by any state agency or subdivision of the state or agency thereof in the form of use of personnel or facilities or in other ways, may be construed as state matching funds if federal laws or the regulations of the federal agency authorize such a construction.

**200-C:4 Expansion of Programs.** It is the intent of the general court that the vocational rehabilitation program of cooperative agreements may be expanded as additional federal funds become available. In furtherance of this intent, the commissioner of education or his delegate may expand any agreements or enter into new agreements with any other departments or agencies of the state, subdivisions of the state, or agencies of either, under this chapter, and may expand any agreements or enter into new agreements with any federal agency charged with the distribution of funds for the vocational rehabilitation program, as federal funds become available for the program. The governor and council may transfer funds within the programs authorized by this chapter, and from program to program, to provide for the maximum utilization of any funds available for the vocational rehabilitation programs authorized under this chapter.

**200-C:5 Additional Personnel.** If federal funds become available and the state matching funds as they are construed under this chapter become available, and if the federal agency approves of a new program under this chapter, and on the request of the commissioner of education or his authorized delegate, the governor and council may approve additional positions for personnel to operate the programs and to fulfill the cooperative working agreements entered into by the division.

**417:2 New Positions.** To implement RSA 200-B as inserted by this

act, the following new positions are created, to work under the chief of vocational rehabilitation in the department of education: One consultant in psychiatric rehabilitation, three supervisors of case studies, three rehabilitation specialists, five psychiatric social workers, eight rehabilitation counselors, thirteen vocational instructors, three work area coordinators, and five clerk stenographers II.

**417:3 Appropriations.**

I. The sum of five hundred eighty-eight thousand, three hundred twenty-five dollars is appropriated for the fiscal year ending June 30, 1968, and the same amount is appropriated for the fiscal year ending June 30, 1969, to be used for the vocational rehabilitation programs of RSA 200-C as inserted by this act, and is to be spent by the division of vocational rehabilitation of the department of education. These sums are itemized as follows:

Personal services	\$237,170.
Current expense	13,915.
Equipment	13,120.
Other personal service	10,200.
Retirement, OASI, merit system, blue cross, insurance	23,725.
Travel	
In state	16,200.
Out-of-state	6,525.
Other expenditures	267,470.
	<hr/>
Total	\$588,325.
Less estimated federal funds	588,325.
	<hr/>
Net appropriation	0

II. The amount of these appropriations is based upon an anticipated federal grant of five hundred eighty-eight thousand, three hundred twenty-five dollars. If the federal grant is less than five hundred eighty-eight thousand, three hundred twenty-five dollars, the amount of the total appropriation shall be reduced to an amount equal to the federal grant. The governor and council shall allocate the remaining funds as they judge suitable.

**417:4 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 7, 1967.]

[Effective date July 1, 1967.]

**CHAPTER 418.****AN ACT EXTENDING THE OPEN SEASON FOR PHEASANTS.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**418:1 Open Season for Pheasants.** Amend RSA 209:2 (supp) as amended by 1957, 80:1, 1963, 307:1 and 1965, 347:2 by striking out the section and inserting in place thereof the following: **209:2 Pheasants.** Male pheasants only may be taken and possessed from October first to November ninth inclusive. A person shall not take more than two pheasants in one day. A person shall not take more than ten pheasants in any one calendar open season, or have in his possession at one time more than two days' bag limit of pheasants.

**418:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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**CHAPTER 419.****AN ACT RELATING TO TAX EXEMPTION ON REAL PROPERTY TO BLIND PERSONS SIXTY-FIVE YEARS OF AGE.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**419:1 Tax Exemption.** Amend RSA 72:37 (supp) as amended by 1957, 299:1 by striking out the section and inserting in place thereof the following: **72:37 Exemption for the Blind.** Every inhabitant up to the age of sixty-five years who is legally blind as determined by the state department of welfare shall be exempt each year from taxation upon his or her residential real estate to the value of one thousand dollars, provided the value of such residential real estate in this state as assessed by the selectmen does not, exclusive of bona fide encumbrances of record thereon, exceed ten thousand dollars. Provided that every such inhabitant



sixty-five years of age and over shall be granted such exemption regardless of the amount of his equity in his residential real estate. The term "residential real estate" as used herein shall mean the same as defined in RSA 72:29. All applications made under this section shall be subject to the provisions of RSA 72:33 and 72:34.

**419:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 420.

### AN ACT DEFINING NARCOTIC DRUGS AND PROVIDING CERTAIN PENALTIES FOR VIOLATIONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**420:1 Narcotic Drugs Act.** Amend RSA 318-A:1 as inserted by 1963, 276:1 by inserting after subparagraph (e) of paragraph IX the following new sub-paragraphs:

(f) "Amidone" means any substance identified chemically as 4, 4-diphenyl-6-dimethylaminophetanone-3, by whatever trade name designated.

(g) "Isoamidone" means any substance identified chemically as 4, 4-diphenyl-5-methyl-6-dimethylaminohexanone-3, by whatever trade name designated.

(h) "Keto-bemidone" means any substance identified chemically as 4- (3 hydroxyphenyl) -1-methyl-4-piperidyl ethyl ketone, by whatever trade name designated.

(i) "Peyote", true name *Lophophora* (sometimes called Mescal Buttons or Anhalonium), includes any or all parts of the cactus, genus *Lophophora*, whether growing or not, the extract from the plant, and any salt, compound, or derivative of the same.

(j) "LSD" means any substance identified chemically as lysergic acid diethylamide, by whatever name designated.

(k) "Psilocybin" means any substance identified chemically as 4-phosphoryloxyw-N, N-dimethyl-tryptamine, by whatever name designated.

(l) "D.M.T." means any substance identified chemically as dimethyl-tryptamine, by whatever name designated.

(m) "D.E.T." means any substance identified chemically as diethyl-tryptamine, by whatever name designated.

(n) Any drug which contains any quantity of a substance which after investigation has been found to have and by regulations of the division of public health services designated as having a potential for its hallucinogenic effect.

**420:2 Penalties.** Amend RSA 318-A:21, I as inserted by 1963, 276:1 by inserting in line 1 after the word "chapter" the words (not covered by paragraphs II or III) so that said paragraph as amended shall read as follows: I. Whoever violates any provision of this chapter not covered by paragraphs II or III shall upon conviction be fined not more than two thousand dollars and be imprisoned not less than two or more than five years. For a second offense, or if, in case of a first conviction of violation of any provision of this chapter, the offender shall previously have been convicted of any violation of the laws of the United States or of any state, territory or district relating to narcotic drugs or marijuana the offender shall be fined not more than two thousand dollars and be imprisoned not less than five or more than ten years. For a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any state, territory or district relating to narcotic drugs or marijuana, the offender shall be fined two thousand dollars and be imprisoned not less than ten or more than twenty years. Except in the case of conviction for a first offense, the imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum imprisonment herein provided for the offense shall have been served.

Amend RSA 318-A:21 as inserted by 1963, 276:1 by inserting after paragraph II the following new paragraph: III. Whoever is present where he knows a narcotic drug is illegally kept or deposited, or whoever is in the company of a person knowing that said person is illegally in possession of a narcotic drug, or whoever conspires with another person to violate the narcotic drugs law, may be arrested by any peace officer whose duty it is to enforce the narcotic drugs law, and, if convicted, may be punished for the first offense by imprisonment for not more than one year or fined not more than five hundred dollars or both, and for any subsequent offense by imprisonment for not more than five years or by a fine of not less than five hundred dollars nor more than five thousand dollars.

**420:3 Effective Date.** This act shall take effect upon its passage.

[Approved July 7, 1967.]

[Effective date July 7, 1967.]

**CHAPTER 421.**

AN ACT PROVIDING FOR PAYMENT TO PAROCHIAL AND CERTAIN PRIVATE SCHOOLS OF A PROPORTIONATE SHARE OF SWEEPSTAKES MONEYS.

WHEREAS, parochial and certain private schools in the state of New Hampshire contribute greatly to lessening the burden of the tax payers in supporting public education and,

WHEREAS, there is great sentiment and feeling that the general public of the state of New Hampshire should in some way alleviate economic burdens of these parochial and private schools which are not privately endowed; now therefore,

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**421:1 Nonpublic Schools Included.** Amend RSA 284:21-j as inserted by 1963, 52:1 and amended by 1965, 239:15 by inserting after the word "basis" in line 6 the words (and to the chief administrative officer of nonpublic schools on a flat grant per elementary and secondary pupil basis, who is a resident of the state) so that said section as amended shall read:

**284:21-j Establishment.** The state treasurer shall credit all moneys received from the sweepstakes commission, and interest received on such moneys, to a special fund from which he shall pay all expenses of the commission incident to the administration of this subdivision and shall pay out on December 15 of each year to the school districts of the state on a flat grant per resident pupil basis and to the chief administrative officer of nonpublic schools on a flat grant per elementary and secondary pupil basis, who is a resident of the state any balance in said special fund. Such grants shall be used for educational purposes and no part of said special fund shall be diverted by transfer or otherwise to any other purpose whatsoever.

**421:2 Effective Date.** This act shall take effect January 1, 1968.

[Approved July 7, 1967.]

[Effective date January 1, 1968.]

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**CHAPTER 422.**

AN ACT RELATING TO THE PAYMENT OF COUNSEL FOR INDIGENT DEFENDANTS IN CRIMINAL CASES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**422:1 Petty Offenses.** Amend RSA 604-A:1 (supp) as inserted by 1965, 296:1, by inserting after the word "offenses" in line four the words

(or any juvenile charged with being delinquent) and by striking out the words "exceed imprisonment for six months or a fine of five hundred dollars, or both" in lines five and six and inserting in place thereof the words (provide for imprisonment or a fine exceeding five hundred dollars) so the section as amended shall read as follows: **604-A:1 Representation of Defendants.** The purpose of this chapter is to provide adequate representation for indigent defendants in criminal cases charged with felonies or misdemeanors other than petty offenses or any juvenile charged with being delinquent in any court of this state. For the purpose of this chapter, a petty offense is any misdemeanor, the penalty for which does not provide for imprisonment or a fine exceeding five hundred dollars. Representation shall include counsel and investigative, expert and other services and expenses including process to compel the attendance of witnesses, as may be necessary for an adequate defense before the courts of this state.

**422:2 Representation of Juveniles.** Amend RSA 604-A:5 (supp) as inserted by 1965, 296:1, by inserting after the word "dollars" in the eighth line the words (For representation of any juvenile charged with being delinquent, the total compensation to be paid counsel shall not exceed one hundred dollars) so the section as amended will read as follows: **604-A:5 Compensation Limited.** For representation of a defendant in any criminal case in which one or more felonies are charged, the total compensation paid counsel shall not exceed five hundred dollars, provided that in cases alleging a capital offense in which two counsel are appointed to represent a defendant each may be paid not exceeding five hundred dollars. For representation of a defendant in any criminal case in which only misdemeanors are charged, the total compensation to be paid counsel shall not exceed two hundred dollars. For representation of any juvenile charged with being delinquent, the total compensation to be paid counsel shall not exceed one hundred dollars. In extraordinary circumstances, payment in excess of these limits may be made if the court finds that the nature of the case is such as to require intensive and protracted representation.

**422:3 Appropriations.** There is hereby appropriated the sum of fifteen thousand dollars for the payment of counsel for indigent defendants in criminal cases who are appointed by the justices of the courts of the state in cases in which the right to such counsel is provided for in the adoption of an amendment to Article 15, Part I, of the New Hampshire Constitution and proclaimed by the governor in effect on November 16, 1966. The funds hereby appropriated shall be for the payment of counsel entitled to receive same under the same terms and conditions as set forth in RSA 604-A from the effective date of this section until June 30, 1967, at which time any unexpended balance in this appropriation shall lapse. For the purpose of RSA 604-A, there is hereby appropri-

ated the sum of fifty thousand dollars for the fiscal year ending June 30, 1968, and a like amount for the fiscal year ending June 30, 1969. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**422:4 Effective Date.** This bill shall take effect upon its passage.

[Approved July 7, 1967.]

[Effective date July 7, 1967.]

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## CHAPTER 423.

### AN ACT RELATIVE TO OUTDOOR ADVERTISING ON INTERSTATE HIGHWAYS AND FEDERAL-AID HIGHWAYS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**423:1 Moratorium on New Signs.** Notwithstanding any other provisions of law to the contrary, until sixty days after the adjournment of the 1969 session of the general court, no new outdoor advertising sign, display, or device shall be erected after the effective date of this act in any areas which are adjacent to and within six hundred sixty feet of the nearest edge of the right-of-way of any interstate or federal-aid primary highway, except the following:

I. Directional and other official signs.

II. Signs advertising the sale or lease of property upon which they are located.

III. On premise signs — signs advertising activities conducted on the property on which they are located.

IV. Signs which are to be located in any area which is at any time zoned to permit business industrial or commercial activities under the authority of any law of this state or not so zoned, but which constitute an unzoned commercial or industrial area.

V. Unzoned commercial or industrial areas mean any area which lies within a radius of one thousand feet of any commercial or industrial activity.

**423:2 Compliance Agreements.** Amend RSA 249-A as inserted by 1961, 269:1 by inserting after section 10 a new section as follows: **249-A:10-a Restriction on Agreements.** The commissioner of public works and highways is authorized to enter into an agreement with the secretary of transportation or other appropriate federal official of the United States as provided by title 23, United States Code, section 131, at the time, and

no earlier than the time, that the federal laws, rules, regulations, or other provisions or directives provide that a loss of federal funds will occur to the state if the state fails to enter into such an agreement.

**423:3 Effective Date.** This act shall take effect upon its passage.  
[Approved July 7, 1967.]  
[Effective date July 7, 1967.]

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## CHAPTER 424.

### AN ACT CLASSIFYING A ROAD IN THE TOWN OF HAVERHILL AS A CLASS III RECREATIONAL ROAD.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**424:1 Classifying a Class III Recreational Road.** Amend RSA 231:6-a (supp) as inserted by 1961, 170:1 and amended by 1965, 68:1 and an act classifying a road in the town of Madison passed by the 1967 general court by inserting after paragraph III the following new paragraph: IV. The existing town road from Route 10 to the Bedell covered bridge in the town of Haverhill, after the road has been improved to satisfactory standards with other than highway funds.

**424:2 Effective Date.** This act shall take effect sixty days after its passage.  
[Approved July 7, 1967.]  
[Effective date September 5, 1967.]

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## CHAPTER 425.

### AN ACT RELATIVE TO PER DIEM COMPENSATION OF THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND INCREASING RENEWAL FEE FOR A CERTIFICATE TO PRACTICE PROFESSIONAL ENGINEERING.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**425:1 Engineering Board.** Amend RSA 319:5 as amended by 1955, 124:2 by striking out said section and inserting in place thereof the following: **319:5 Compensation.** Members of the board shall receive twenty-five dollars for each day actually engaged in the duties of the office, and shall be reimbursed for all actual traveling, incidental and clerical expenses necessarily incurred in carrying out the provisions of this act.

**425:2 Renewal Fees.** Amend RSA 319:22-a, as inserted by 1959, 38:7 and amended by 1965, 168:4, by striking out said section and inserting in place thereof the following: **319:22-a Determination of Fee.** The board shall annually, prior to the first day of December in each year, beginning in 1967, determine the normal annual fee to be paid for renewals of certificates. Said normal renewal fee shall be not less than four dollars nor more than ten dollars.

**425:3 Effective Date.** Section 1 of this act shall take effect July 1, 1967, and section 2 shall take effect December 1, 1967.

[Approved July 7, 1967.]

[Effective date — section 1 effective

July 1, 1967; section 2 effective December 1, 1967.]

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## CHAPTER 426.

AN ACT REPEALING THE BOND REQUIREMENT OF USER OF FUEL LICENSEES  
AND THE IMPOSITION OF ADDITIONAL PENALTIES, CHANGING THE FILING  
PROCEDURES AND DATES OF USER OF FUEL RETURNS AND THE REVISING  
OF RECIPROCAL PROVISIONS OF THE MOTOR VEHICLE  
AND MOTOR VEHICLE ROAD TOLL LAWS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**426:1 Out-of-State Vehicles.** Amend RSA 260:40 by inserting in line seven after the word "same" the words (or similar) and by inserting in line eleven after the word "director" the words (shall determine the method of reciprocity and) so that the section as amended shall read as follows: **260:40 Reciprocal Fines and Penalties.** When under the laws of any other state any taxes, fines, penalties, licenses, fees, deposits or other obligations or prohibitions, additional to any imposed by this state upon any class of private or public motor vehicles not registered in such state are imposed upon any class of private or public motor vehicles registered in this state and their owners and operators traveling upon the public highways of such state, the same or similar taxes, fines, penalties, licenses, fees, deposits or other obligations or prohibitions shall be imposed upon all similar classes of private or public motor vehicles registered in such state and traveling upon the public highways of this state so long as such laws shall remain in force. The director shall determine the method of reciprocity and may make such rules and regulations as are necessary to carry out the purposes of this section and his determination shall be final.

**426:2 Refund of Motor Vehicle Road Tolls.** Amend paragraph I

of RSA 265:19 as amended by 1955, 193:1 and 1965, 355:1 by striking out the paragraph and inserting in place thereof the following: I. Any person who shall use any motor fuel, with respect to which the road toll herein imposed has been paid, in any way other than in motor vehicles for the purpose of generating power for the propulsion thereof upon the public highways, or any city, town, county farm, school district or village district which shall use any motor fuel in its own vehicles, or any dealer who shall make sales specified in paragraphs (a), (b), and (c) of section 4 of this chapter, shall be entitled to a refund to the extent of the amount of said tolls so paid, with respect to such motor fuel. The right to receive any refund under the provisions of this section shall not be assignable and any assignment thereof shall be void. Nor shall any payment thereof be made to any person other than the original person entitled thereto using or selling motor fuel as hereinabove in this section set forth.

**426:3 Refunds to Transit Carriers.** Amend RSA 265 by inserting after section 19-a as inserted by 1957, 117:2 the following new section: **265:19-b Transit Carriers.** In addition to the provisions of RSA 265:19 and 265:19-a any carrier, excepting privately owned school buses, granted a certificate of public convenience and necessity or public interest permit by the public utilities commission authorizing regularly scheduled transportation service, at least ninety per cent of which service, determined in miles, is furnished within the limits of one incorporated city or town in this state and in motor vehicles designed to transport twelve or more passengers, shall be entitled to a refund of road tolls paid hereunder with respect to such motor fuel by such carrier in an amount representing the percentage, computed on a calendar month basis, which the total miles operated over regularly scheduled routes by such carrier in such motor vehicles entirely within the limits of such city or town was of the total miles operated by such carrier throughout its system. The procedure for such refund shall be the same as that provided under paragraphs II and III of RSA 265:19.

**426:4 Road Toll Imposed on Fuel Users.** Amend RSA 265:22 as amended by 1959, 103:1, 1963, 300:2 and 1965, 355:2 by striking out the section and inserting in place thereof the following: **265:22 Road Toll on Users of Fuel other than Motor Fuel.**

I. A road toll is hereby imposed on all users of fuel other than motor fuel as defined in paragraph II of section 2 of this chapter, upon the use of such fuel by any person within this state only when such fuel is used in an internal combustion engine for the generation of power to propel motor vehicles of any kind or character on the public highways of the state at the rate and for the same purposes as the road toll to be collected under the preceding sections of this chapter with respect to



motor fuel. Such road toll on such use of fuel shall be collected as hereinafter provided in this section.

II. (a) "Fuel" shall mean and include all combustible gases and liquids used in an internal combustion engine for the generation of power to propel motor vehicles on or over the public highways, except motor fuels as defined in paragraph II of section 2 hereof.

(b) "User" shall mean any person, except the state of New Hampshire and all of its political sub-divisions, including school districts and village districts.

(c) "Use" shall mean, in addition to its original meaning, the receipt of fuel by any user into his motor vehicle or into a receptacle from which fuel is supplied by such user to his motor vehicle.

III. Every user shall procure a user's license for each motor vehicle propelled by such fuel, which will expire on July 1 of each year, on such forms as the director may prescribe at a fee of one dollar. However, the director shall waive the fee if the vehicle is registered in this state. It shall be unlawful for any owner and/or operator to operate or cause to be operated any motor vehicle propelled by such fuel over the public highways of this state unless he is the holder of a valid user's license or has been granted authority to operate on a temporary basis as provided in paragraph III-a.

III-a. The director may grant a temporary authorization to operate a vehicle propelled by such fuel when, in his judgment, it would be feasible. The fee for such an authorization shall be based on the approximate toll that would be due but shall be not less than five dollars for each authorization. The director may make such rules and regulations as he may deem necessary to carry out the provisions of this paragraph.

III-b. Any user, or any agent or employee of any user, who shall consume such fuel in a motor vehicle over the public highways of this state when such user is not the holder of an uncanceled license or has not been granted temporary authorization to operate, shall be punished by a fine of not less than ten dollars or more than one hundred dollars.

IV. For the purpose of determining the amount of the road toll herein imposed, each user shall, on or before the last day of April, July, October and January of every year, file with the director on forms prescribed by him, a report showing the total gallonage of fuels used within the state during the quarter ending the last day of the preceding month, and, at the same time, such user shall pay the road toll based upon the total gallonage shown on such report; provided, however, that a user operating a vehicle of the pleasure type may prepay an estimated toll based on the state fee for registering said vehicle. The toll for a full year (July 1 to June 30) shall be equal to the registration fee for a full

year. The fee for a period of less than a full year shall be prorated at one-twelfth of the full registration fee per month or fraction thereof.

IV-a. If reports are not filed within the time specified in paragraph IV, a penalty of ten per cent of the toll due or one dollar per day (including Saturdays, Sundays and holidays) whichever is greater, shall be assessed.

V. Each user shall maintain and keep for a period of three years such record or records of fuel used within this state, together with invoices, bills of lading, and other pertinent records and papers as may be required by the director for the reasonable administration of this section.

VI. In all other respects the collection and payment of the road toll imposed in this section shall be governed by the applicable general provisions of this chapter.

VII. Every person engaged in the business of selling fuel, other than motor fuel as defined in paragraph II of section 2 of this chapter, suitable for use in internal combustion engine for the generation of power to propel motor vehicles of any kind or character on the public highways of the state shall, on or before the last day of each calendar month, render a return to the director on forms prescribed and furnished by him. Such return shall show the total number of gallons of such fuel sold and delivered by such person into the tanks or auxiliary tanks of motor vehicles which did not bear identification markers issued by the division of motor vehicles denoting the carrier as a licensed user or did not have temporary authorization to operate during the previous calendar month, together with the name and address of the several purchasers, the date of each sale, and such other information as the director may require for the reasonable administration of this section.

VIII. Any carrier granted a certificate of public convenience and necessity or public interest permit by the public utilities commission which is entitled to refunds on motor fuel tolls pursuant to the provisions of RSA 265:19-b is hereby exempted from the tolls imposed under this section to the same extent and in accordance with the same formula provided for motor fuel refunds under RSA 265:19.

**426:5 Temporary Provisions.** Any bond heretofore filed with the director as provided by paragraph III-a of RSA 265:22 shall be retained until such time as the principal has filed all reports, paid all toll due and has satisfied the director that all commitments have been fulfilled up to the effective date of this act; and provided that all cash bonds now on file with the state treasurer furnished by users or other persons shall be forfeited by reason of the following: (1) failure to procure license within twenty days from filing in accordance with temporary authorization to operate, and (2) failure to file returns, pay toll, or failure to fulfill other obligations resulting in cancellation of license or suspension

of right to operate. And further provided that the director shall furnish the state treasurer with all information pertaining to these forfeitures and the state treasurer shall issue a check covering the total amount of such forfeitures to the director for deposit as road toll receipts.

**426:6 Additional Fees Levied by Other States.** Amend RSA 265:23 by striking out the section and inserting in place thereof the following:  
**265:23 Additional Tax, Toll and Other Fees Levied by Other States.**

I. When under the laws of any other state any taxes, toll or other fees and charges, additional to any imposed by this state upon any class of private or public motor vehicles not registered in such other state, are imposed upon any class of private or public motor vehicles registered in this state and their owners and operators traveling upon the public highways of such state, the same or similar taxes, tolls, fees or other charges shall be imposed upon all similar classes of private or public motor vehicles registered in such state and traveling upon the public highways of this state so long as such laws shall remain in force. The director shall determine the method by which this additional tax, tolls, fees or other charges shall be imposed and shall make such rules and regulations as are necessary to carry out the purpose of this section and his determination shall be final.

II. The director may grant a temporary authorization to operate vehicles affected by this section when in his judgment it would be feasible, for a flat fee based on the approximate tax, toll or other fee that would be due but shall not be less than five dollars for each authorization.

III. Any carrier or any agent or employee of any such carrier who has not complied with the provisions of this section shall be punished by a fine of not less than twenty-five dollars or more than two hundred dollars.

**426:7 Penalties.** Amend RSA 265:24 by inserting in line one before the word "whoever" the words (Unless otherwise provided) so that the section as amended shall read as follows: **265:24 Penalties.** Unless otherwise provided, whoever violates any provision of this chapter shall be fined not more than five hundred dollars or be imprisoned for not more than one year, or both.

**426:8 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

**CHAPTER 427.**

AN ACT PROVIDING FOR THE COMPELLING OF EVIDENCE FROM CERTAIN PERSONS IN CRIMINAL PROCEEDINGS AND FOR THE GRANTING OF IMMUNITY FROM PROSECUTION TO SUCH PERSONS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**427:1 Witnesses.** Amend RSA 516 by inserting after section 33 the following subdivision:

**Grant of Immunity in Criminal Cases**

**516:34 Compelling Evidence in Criminal Proceedings; Immunity.** In any criminal proceeding before the superior court or grand jury, if a person refuses to answer a question or produce evidence of any kind on the ground that he may be incriminated thereby, and if the attorney general or a prosecuting attorney, in writing and with the approval of the attorney general, requests the court to order that person to answer the question or produce the evidence the court after notice to the witness and hearing may so order, and that person shall comply with the order. After complying, and if, but for this section, he would have been privileged to withhold the answer given or the evidence produced by him, that person shall not be prosecuted or subjected to penalty or forfeiture for or on account of any transaction, matter or thing concerning which, in accordance with the order, he gave answer or produced evidence. But he may nevertheless be prosecuted or subjected to penalty or forfeiture for any perjury, false swearing or contempt committed in answering, or failing to answer, or in producing, or failing to produce, evidence in accordance with the order.

**427:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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**CHAPTER 428.**

AN ACT RELATIVE TO ADMINISTRATION OF SMALL ESTATES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**428:1 Small Estates Under Five Hundred Dollars.** Amend RSA 553:31 (supp) as inserted by 1961, 108:1 by striking out said section and inserting in place thereof the following: **553:31 Administration of Small**

**Estates Not Exceeding Five Hundred Dollars.** If the estate of a deceased person, whether testate or intestate, consists entirely of personal property of a gross value not exceeding five hundred dollars and after the expiration of thirty days from the date of his death, no petition under any other section of this chapter 553 has been filed, his surviving spouse, parent, lineal descendant, brother or sister, or such other person as the judge may think proper, if of legal age and legal capacity and an inhabitant of this state, may file with the probate court in the county in which the deceased was domiciled at the time of his death an affidavit stating that the affiant has undertaken to act as voluntary administrator of such an estate and will administer the same according to law. Such voluntary administrator shall, at the time of filing such affidavit also file a list of heirs, a report of gifts and transfers under RSA 86:22 with the register of probate and with the division of inheritance taxes, state tax commission, and a true and perfect inventory of the estate of the deceased. The form of this affidavit and the rules governing proceedings under this section shall be prescribed in the manner provided by RSA 547:33. Upon payment of a fee of three dollars the register of probate shall, if no other petition for administration of such estate is pending, issue an attested copy of the affidavit which shall specify the assets of the estate which the voluntary administrator may collect and which shall constitute sufficient legal authority to all persons owing any money, having custody of any property or acting as register or transfer agent of any evidence of interest, indebtedness, property or right belonging to the estate, as specifically set forth in the affidavit, and to persons purchasing or otherwise dealing with the estate, to make payment or transfer to the affiant with the same effect as if made to a duly appointed personal representative of the deceased person. Out of the assets which the voluntary administrator collects, he shall pay debts and expenses in accordance with RSA 554:19. If any balance remains he shall distribute it either according to the will or, if there is no will, to the surviving spouse, if any, and if not, in accordance with RSA 561:6. The voluntary administrator may not take any fee for his services. A voluntary administrator is liable as an executor in his own wrong as provided in RSA 553:17 to all persons aggrieved by his administration, and if letters testamentary or of administration are later granted, then to the rightful executor or administrator. If a personal representative of the deceased person is appointed under any other section of this chapter 553, or under any section of chapter 552, the powers of the voluntary administrator shall cease. If the voluntary administrator uncovers further assets of the estate of the deceased person not originally inventoried, and such additional assets when added to those originally inventoried do not exceed five hundred dollars, he may file an amended affidavit, and upon payment of an additional fee of three dollars, the register of probate shall issue an attested copy of such amended affidavit setting forth such additional assets, which

amended affidavit shall have the same force and effect as the original affidavit as hereinabove specified.

**428:2 Small Estates Over Five Hundred Dollars But Less Than Two Thousand Dollars.** Amend RSA 553 by inserting after section 31 as hereinabove amended the following new section: **553:31-a Administration of Small Estates Over Five Hundred Dollars.** If the estate of a person deceased, whether testate or intestate, consists entirely of personal property of a gross value exceeding five hundred dollars but not exceeding two thousand dollars, and the will has been allowed or no petition under any other section of this chapter 553 or any section under chapter 552 has been filed, the right to administer shall be in the executor named in the will or as set forth in section 2 of this chapter upon such person filing with the probate court in the county in which the deceased was domiciled at the time of his death an affidavit stating that the affiant has undertaken to act as executor or voluntary administrator of such an estate and will administer the same according to law. Such executor or voluntary administrator shall, at the time of filing such affidavit, also file a personal bond without sureties, a list of heirs, a report of gifts and transfers under RSA 86:22 with the register of probate and with the division of inheritance taxes, state tax commission, and a true and perfect inventory of the estate of the deceased, which shall be incorporated into the affidavit. The form of this affidavit and the rules governing proceedings under this section shall be prescribed in the manner provided by RSA 547:33. Upon approval of the probate court and payment of a fee of five dollars the register of probate shall, if no other petition for administration is pending, issue an attested copy of the affidavit which shall constitute sufficient legal authority to all persons owing any money, having custody of any property or acting as register or transfer agent of any evidence of interest, indebtedness, property or rights belonging to the estate and to persons purchasing or otherwise dealing with the estate, to make payment or transfer to the affiant with the same effect as if made to a duly appointed representative of the deceased person. In the case of executors of small estates, as defined herein, the provisions of this section shall apply in place of those otherwise applicable. Out of the assets which the executor or voluntary administrator collects, he shall pay debts and expenses in accordance with RSA 554:19. If any balance remains he shall distribute it either according to the will or, if there is no will, to the surviving spouse, if any, and if not, in accordance with RSA 561:6. The executor or voluntary administrator may not take any fee for his services. A voluntary administrator is liable as an executor in his own wrong as provided in RSA 553:17 to all persons aggrieved by his administration, and if letters testamentary or of administration are later granted then to the rightful executor or administrator. If a personal representative of the deceased person is appointed

under any other section of this chapter 553, or under any section of chapter 552, the powers of the voluntary administrator shall cease. An executor or voluntary administrator appointed under this section shall render a statement of his administration not later than ninety days from the date of his appointment.

**428:3 Effective Date.** This act shall take effect on January 1, 1968.  
[Approved July 7, 1967.]  
[Effective date January 1, 1968.]

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## CHAPTER 429.

AN ACT TO AUTHORIZE THE JUDGE OF PROBATE TO DETERMINE THE MODE  
OF CITATION AND NOTICE IN PROBATE PROCEEDINGS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**429:1 Selection of Newspaper for Publication of Notice.** Amend RSA 550:10 by striking out said section and inserting in place thereof the following: **550:10 Publication of Notice in Newspaper.** Notwithstanding any other provision of law, whenever notice is required to be published in a newspaper by any provision of this title, the register of probate shall cause such notice to be published two weeks successively in a newspaper which circulates in the town or city in which the person whose estate is involved last resided, or in the county whose court has jurisdiction, or otherwise as ordered by the judge. The register of probate may select the newspaper for publication, provided only that it is a newspaper in the English language, unless the judge shall otherwise order. The register may publish a notice in a newspaper in other than the English language, provided that he also publishes the same notice in a newspaper in the English language at the same time. The first such publication shall be at least two weeks before the day or thing of which notice is given and the second publication shall be at least seven days before the day or thing of which notice is given, unless otherwise ordered by the judge. The register of probate may publish in one notice the necessary information pertaining to more than one estate, provided however, that each separate subject matter such as the appointment of a fiduciary, a hearing on an account, a hearing on a license to sell real estate, or any other designated subject matter shall have a specific designation within each such notice. Prior to such publication the fiduciary of the estate concerned shall advance and pay to the register of probate the cost of any such notice as determined by the register, and he shall be allowed said sums so paid to the register in his account.

**429:2 Probate Proceedings.** Amend RSA 550:13 (supp) as amended by 1963, 165:3 by striking out said section and inserting in place thereof the following: **550:13 Dispensation of Citation and Notice.** The citation and notice required to be given to any person in any proceeding may be dispensed with upon written assent by such person to such proceeding or upon his written waiver of such citation and notice. A duly appointed guardian ad litem may give assent or waive citation or notice as aforesaid.

**429:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 430.

AN ACT ESTABLISHING A BUREAU OF FAMILY CARE IN THE OFFICE OF THE  
DIRECTOR OF THE DIVISION OF MENTAL HEALTH.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**430:1 Bureau of Family Care Established.** Amend RSA 126-A by inserting after section 37 as inserted by an act establishing an office of mental retardation in [the office] of director of the division of mental health passed by the 1967 general court the following new subdivision:

### Bureau of Family Care

**126-A:38 Bureau Established.** There is hereby established within the division of mental health a bureau of family care, which shall be responsible for a statewide program of family care (foster homes) for mentally ill and mentally retarded children and adults.

**126-A:39 Duties and Functions of Bureau.** The bureau of family care shall be responsible for the recruitment, selection, and approval of family care homes for mentally retarded and mentally ill persons, and for the selection, placement, and supervision of mentally retarded and mentally ill patients in family care homes throughout the state, said patients being those who no longer need residential care in an institution, but who do not have a suitable home to which to return, except that children shall be placed in accordance with RSA 170. It shall have the responsibility of selecting suitable family care homes with professional understanding and care for this specialized, handicapped population, recognizing that prior to actual placement of such patients, considerable planning is necessary with the patient, hospital staff, the



patient's relatives, the family care home "parents", and the community in which the patient will live. The bureau shall select patients for placement in family care homes only in conjunction with, and at the recommendation of, the professional staffs of the institutions concerned. It shall have the responsibility for maintaining continuous contacts with the patient, the hospital staff, the patient's relatives, the family care home "parents" and with the community in which the patient will live. The bureau shall further have the responsibility for supervising the patient in the family care home through social casework counseling and for eventually recommending either the patient's release from convalescent care status or his return to the institution. It shall establish and maintain close coordination with the institutional and community health, welfare and vocational agencies with a view of promoting the successful treatment and rehabilitation of the patients placed in family care homes.

**126-A:40 Standards for Family Care Homes.** The division of mental health shall establish standards to be used to determine the eligibility of a home to function as a family care home. The selection and approval of family care homes by the bureau for the placement of patients shall be based on these standards. The standards to be established hereunder shall take into account both the physical facilities of family care homes, such as bathrooms, and fire safety, and also the personality characteristics of the family care "parents".

**126-A:41 Payments to Family Care Homes.** Payments for room, board, laundry, clothing and other related expenses shall be made at the rate of one hundred dollars per month directly to the family care "parents" for each patient in placement under this program. Payments hereunder are to be made monthly through the office of the director, division of mental health, from funds appropriated for this purpose.

**126-A:42 Supervision of Patients.** Each patient in family care placement shall be under the direct supervision of the bureau of family care. The bureau shall have the responsibility to plan for a more permanent living arrangement for the patient in conjunction with other health and welfare resources. The decision regarding a patient's return to either the Laconia State School or to the New Hampshire Hospital shall be the responsibility of the institution concerned and the decision for discharge of a patient from convalescent care status shall also be the responsibility of the institution concerned.

**126-A:43 Staff of Bureau.** The staff of the bureau of family care shall consist of the following positions: one supervisor of the bureau of family care, two senior psychiatric social workers, and one clerk-stenographer II.

**430:2 Appropriation.** The sum of sixteen thousand eighty-seven dollars for the fiscal year ending June 30, 1968 and the sum of seventy-

two thousand eight hundred eighty-eight dollars for the fiscal year ending June 30, 1969 are hereby appropriated for the bureau of family care as follows:

	Fiscal 1968	Fiscal 1969
Bureau of family care:		
Personal services — permanent:		
Senior psychiatric social worker	\$ 7,700	\$ 8,133
Senior psychiatric social worker		7,700
Clerk Stenographer II	3,717	3,840
Total	<u>\$11,417</u>	<u>\$19,673</u>
Current expenses	1,500	1,575
Equipment	2,750	500
Travel:		
In state	200	700
Out of state	220	440
Other Expenditures:		
Payments for family care homes		50,000
Total for bureau of family care	<u><u>\$16,087</u></u>	<u><u>\$72,888</u></u>

**430:3 Effective Date.** This act shall take effect sixty days after its passage, except that section 2 shall take effect July 1, 1967.

[Approved July 7, 1967.]

[Effective date — section 2

effective July 1, 1967; remainder  
of act September 5, 1967.]

## CHAPTER 431.

AN ACT PROVIDING FOR MUTUAL AID AMONG POLICE DEPARTMENTS IN CASE  
OF RIOTS, LOCAL DISASTERS, OR EMERGENCIES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**431:1 Mutual Police Aid in Riots and Disasters.** Amend RSA by inserting after chapter 106-B, as inserted by 1961, 166:4 and amended by 1963, 157:1 and 123:1; and 1965, 209:1 and 374:1, the following new chapter:

**Chapter 106-C****Emergency Police Assistance**

**106-C:1 Definitions.** The following words and phrases as used in this chapter shall have the following meaning unless the context clearly requires otherwise:

I. "Emergency" shall mean a riot or mob action, as defined in RSA 609 and 609-A, and a natural disaster of major proportions, such as fire, flood, hurricane, earthquake, or any other disaster or emergency.

II. "Emergency police assistance" shall mean assistance during an emergency, as defined in paragraph I.

III. "Chief executive officer" shall mean the high sheriff of a county or chief of police of a city or town.

IV. "Police department personnel" shall mean all sheriffs, deputy and special sheriffs, and all policemen and constables regularly employed on full or part-time duty by a police department or police force of the state, or of any county, city, town, village or precinct in the state, but not including the members of a police department auxiliary.

V. "Local police departments" shall include the police department of cities and towns, precincts and village districts.

VI. "Municipality" shall mean any city, town, precinct or village district.

**106-C:2 Provisions Effective During Emergency.** The provisions of this chapter shall be effective during, and only during, periods of emergency as defined in paragraph I of section 1.

**106-C:3 Inter-Community Police Assistance.** Any county may by order of the county commissioners and any municipality may, by law or ordinance, authorize and permit the sheriff's department or the chief or head of its police department to extend assistance in time of emergency to any other county or municipality, subject to such restrictions and conditions as may be imposed by such order, law or ordinance.

**106-C:4 Powers, Rights, Privileges and Immunities.** Whenever, pursuant to the authority granted under this chapter, the members of a local police department, or of the state police or the sheriff's department are engaged in assisting another county or municipality in combatting an emergency in such other county or municipality, such police department personnel shall possess the same powers, and have the same duties, rights, privileges and immunities they would have if they were performing the said duties for the county or counties, municipality or municipalities to whose sheriff's or police department they are normally attached.

**106-C:5 Loss, Damage or Expense.** In case any county or municipally-owned equipment is damaged or lost, or in the event that any ex-

pense is incurred in connection therewith in answering a call for assistance made by another county or municipality, by reason of an emergency in another county or municipality, such loss, damage or expense, together with the cost of any material or supplies used in connection with meeting such emergency, shall be a charge against and shall be paid by such other county or municipality which issued the call for assistance. No claim for any such loss, damage, or expense shall be allowed unless, within sixty days after the loss, damage or expense is sustained or incurred, an itemized notice of such claim, authenticated under oath, is served, personally, or by registered mail return receipt requested, by the duly authorized representative of the police department concerned, upon the principal executive officer of the county or municipality to which such assistance was rendered.

**106-C:6 Liability for Acts or Omissions.** Neither the state nor any county or municipality whose police department personnel, pursuant to the provisions of this chapter, are rendering emergency police assistance to another county or municipality, shall be liable by reason of any act or omission on the part of such police department personnel while so engaged; or on account of the maintenance or use of any equipment or supplies used in connection with the rendering of such assistance; nor shall any county commissioner, police commissioner, sheriff, police chief, or other superior officer of any police department, sheriff's office or the state police, acting pursuant to the provisions of this chapter, be liable by reason of any act or omission on the part of any of his subordinates when they are rendering emergency assistance, under the command of an officer other than himself, in a county or municipality other than that in which they normally are employed.

**106-C:7 Reimbursement for Salaries and Expenses.** Any county or municipality within the state of New Hampshire, which receives emergency assistance pursuant to the provisions of this chapter, shall reimburse the county or municipality which furnishes such aid for the compensation which was paid to police department personnel engaged in such assistance; for actual travel and maintenance expense for such employees while rendering such aid.

**106-C:8 Donation of Services.** Nothing contained herein shall prevent any county or municipality which renders assistance to another county or municipality within the state from assuming such loss, damage, expense, or other cost, or from loaning police equipment, or from donating the services of such personnel and such equipment without charge or cost to the county or municipality requiring assistance.

**106-C:9 Recall from Service Outside of a Municipality or County.** If, while any police department personnel or equipment pertaining to a New Hampshire county or municipality is engaged in rendering emer-

gency police assistance upon call in another county or municipality within the state, an emergency develops within the county or municipality to which the assisting police department personnel and equipment pertain, the chief executive officer of such county or municipality shall determine whether such personnel and equipment shall be recalled in order to meet the local emergency. Upon the recall order issued by such chief executive officer of the assisting county or municipality, the personnel and equipment shall forthwith return to their normal stations or to the place specified in such recall order. The decision of the chief executive officer of the assisting county or municipality, made under the emergency conditions contemplated by this chapter, shall supersede any agreements or arrangements for mutual assistance entered into as provided in section 10 of this chapter.

**106-C:10 Reciprocal Relations With Other Counties or Municipalities.** The chief executive officers of the counties or municipalities are authorized within the provisions of this chapter, to enter into agreement with other counties or municipalities within the state concerning the methods by which emergency police assistance will be rendered as provided in this chapter.

**431:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 432.

### AN ACT RELATIVE TO DECLARATORY JUDGMENTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**432:1 Superior Court.** Amend RSA 491:22 by inserting at the end thereof the following: (No petition shall be maintained under this section to determine coverage of an insurance policy unless it is filed within six months after the filing of the writ which gives rise to the question; provided, however, that the foregoing prohibition shall not apply where the facts giving rise to such coverage dispute are not known to, or reasonably discoverable by, the insurer until after expiration of such six month period, and provided, further, that the superior court may permit the filing of such a petition after such period upon a finding that the failure to file such petition was the result of accident, mistake or misfortune and not due to neglect) so that said section as amended shall read as follows:  
**491:22 Declaratory Judgments.** Any person claiming a present legal or

equitable right or title may maintain a petition against any person claiming adversely to such right or title, to determine the question as between the parties, and the court's judgment or decree thereon shall be conclusive. No petition shall be maintained under this section to determine coverage of an insurance policy unless it is filed within six months after the filing of the writ which gives rise to the question; provided, however, that the foregoing prohibition shall not apply where the facts giving rise to such coverage dispute are not known to, or reasonably discoverable by, the insurer until after expiration of such six month period, and provided, further, that the superior court may permit the filing of such a petition after such period upon a finding that the failure to file such petition was the result of accident, mistake or misfortune and not due to neglect.

**432:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 433.

### AN ACT RELATIVE TO AIR POLLUTION CONTROL.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**433:1 Air Pollution.** Amend RSA 125 by inserting after section 77 (supp) as inserted by 1965, 336:1, the following new subdivision:

#### Air Pollution Control

**125:78 Declaration of Policy and Purpose.** It is hereby declared to be the public policy of the state of New Hampshire and the purpose of this subdivision to achieve and maintain a reasonable degree of purity of the air resources of the state so as to promote the public health, welfare and safety, prevent injury or detriment to human, plant, and animal life, physical property and other resources, foster the comfort and convenience of the people, promote the economic and social development of this state and to facilitate the enjoyment of the natural attractions of this state.

#### **125:79 Definitions.**

I. "Air pollution" means the presence in the outdoor atmosphere of one or more contaminants or any combination thereof in sufficient quantities and of such characteristics and duration as are or are likely to be injurious to public welfare, to the health of human, plant, or animal life,

or cause damage to property or create a disagreeable or unnatural odor or obscure visibility or which unreasonably interfere with the enjoyment of life and property.

II. "Air contaminant" means soot, cinders, ashes, any dust, fume, gas, mist (other than water), smoke, vapor (other than water), odor, toxic or radioactive material, particulate matter, or any combination thereof.

III. "Emission" means a release into the outdoor atmosphere of air contaminants.

IV. "Agency" means the air pollution control agency created by this subdivision.

V. "Commission" means the air pollution commission created by this subdivision.

VI. "Person" means any individual, partnership, firm or co-partnership, association, syndicate, company, trust, corporation, department, bureau, agency, private or municipal corporation, or any other entity recognized by law as the subject of rights and duties.

#### **125:80 Administration.**

I. The department of health and welfare, division of public health services, is hereby designated as the state air pollution control agency.

II. The director of the division of public health services shall designate an individual to be director of the agency, hereinafter referred to as the director, who shall be responsible for implementation of this subdivision and any regulations promulgated hereunder, and who may delegate to a subordinate or subordinates any or all duties vested in him. The director shall act as technical secretary to the air pollution commission, without voting power.

III. There is hereby created and established an air pollution commission which shall be composed of nine members, including one representing the steam power generating industry; one representing the fuels industry; one representing the manufacturing component of industry; one representing the field of municipal government; one licensed practicing physician; one representing the field of recreation; and three appointed at large. The members shall be residents of the state and shall be appointed by the governor with the consent of council. Each member shall serve for a term of four years and until his successor shall be appointed; provided that of the original appointments three shall be appointed for a term of two years, three for a term of three years and three for a term of four years. The members shall receive no compensation for their services but shall receive necessary travel and other expenses while engaged in actual work of the commission. The governor and council shall annually select one of the commission members to serve as chairman, and one of the commission members to serve as vice-chairman. When

the chairman is absent, it shall be the duty of the vice-chairman to assume and administer the duties of the chairman. The commission shall hold meetings on the call of the chairman or director, of the state air pollution control agency. It shall be the duty of the commission to make suggestions to, and to advise the agency concerning, the policies, plans, and goals to be attained in the administration of this subdivision; to hold such hearings, to issue notices of hearings, and subpoenas requiring the attendance of such witnesses and the production of such evidence and to administer such oaths and to take such testimony as the commission may deem necessary; and to keep the governor and council informed on matters relative to air pollution. The commission shall have the power to make, issue, amend, or repeal and promulgate rules and regulations consistent with this subdivision for the prevention, control and abatement and limitation of air pollution; provided that nothing in this subdivision shall be construed to authorize the commission to specify the type, design, method of installation or type of construction of any equipment or manufacturing processes, or the kind or composition of fuels to be sold, stored, or used. Any rules or regulations promulgated pursuant to this subdivision shall be consistent with provisions of federal law, if any, relating to control of emissions from the vehicles concerned. The state air pollution control agency shall not require, as a condition precedent to the initial sale of a vehicle or vehicular equipment, the inspection, certification or other approval of any feature or equipment, designed for the control of emissions from motor vehicles, if such features or equipment have been certified, approved or otherwise authorized pursuant to federal law. However, no such rule, regulation, amendment, or repeal shall be adopted except after public hearing. Said public hearing shall be held by the commission provided that thirty days' notice thereof shall be given by public advertisement stating the date, time, and place of the hearing; provided further that no such rule, regulation, amendment, or repeal shall be or become effective until thirty days after such public hearing, or until such time as shall be determined by the commission to be reasonable and necessary. To properly carry out its duties, the commission is authorized to utilize the services of the agency.

**125:81 Powers and Duties of the Agency.** In addition to the other powers and duties granted herein, the agency shall have and may exercise the following powers and duties:

I. To exercise general supervision of the administration and enforcement of this subdivision and all rules and regulations and orders promulgated by the commission;

II. To develop a comprehensive program and provide services for the study, prevention, and abatement of air pollution;

III. To conduct and encourage studies relating to air pollution;



IV. To collect and disseminate the results of studies relating to air pollution;

V. To advise, consult, and cooperate with the cities and towns and other agencies of the state, federal government, interstate agencies, and other affected agencies or groups in matters relating to air pollution;

VI. To encourage local units to promote cooperation by the people, political subdivisions, industries, and others in preventing and controlling air pollution in the state.

VII. To enter at all reasonable times in or upon any private or public property, except private residences, for the purpose of inspecting or investigating any condition which is believed to be either an air pollution source or in violation of any of the rules or regulations or orders promulgated hereunder. Any information relating to secret processes or methods of manufacture or production obtained in the course of such inspection or investigation shall not be disclosed by the director without permission of the person whose source is inspected or investigated.

VIII. To accept, receive, and administer grants or other funds or gifts for the purpose of carrying out any of the functions of this act, including such monies given under any federal law to the state for air pollution control activities, surveys, or programs;

IX. To consult the commission on the policies and plans for the control and prevention of air pollution;

X. To exercise all incidental powers necessary to carry out the purposes of this subdivision.

**125:82 Notification of Violation and Order of Abatement.** Whenever the director or his authorized representative finds upon inspection and examination that a source of air pollution as constructed, operated, or maintained has resulted in a violation of any of the provisions of this subdivision or any codes, rules, or regulations of the commission, he shall notify any person found to be causing, allowing, or permitting such violation of the nature of that violation and order that prior to a time fixed by the director, which time shall not be later than thirty days from the date of service of the notice, that such person shall cease and abate causing, allowing, or permitting such violation and take such action as may be necessary for the source of air pollution to be constructed, operated, or maintained in compliance with this subdivision and codes, rules, or regulations of the commission, unless a variance is granted in accordance with section 83. Any person aggrieved by the finding or order of the agency may request a hearing before the commission, at any time within fifteen days after notification, and the commission may affirm the finding or order of the agency or reverse or modify the finding or order of the agency. Any order or decision of the commission may be the subject of a motion for rehearing or of an appeal in the following manner:

I. Motion for Reconsideration. Within twenty days after any decision of the commission, any person whose rights may be directly affected may apply to the commission for reconsideration of any matter determined by the commission in its decision, specifying in the motion for reconsideration the grounds therefor, and the commission may reconsider and revise its decision if in the opinion of the commission good reason therefor is stated in said motion.

II. Specifications. Such motion shall set forth fully every ground upon which it is claimed that the decision of the commission is unlawful or unreasonable. No appeal from any decision of the commission shall be taken unless the appellant shall have made application for reconsideration as herein provided, and when such application shall have been made, no ground not set forth therein shall be urged, relied on, or given any consideration by the court, unless the court for good cause shown shall allow the appellant to specify additional grounds.

III. Action on Motion. Upon the filing of such motion for reconsideration the commission shall within ten days either grant or deny the same, and shall thereby either affirm, or modify, revise, or reverse its decision.

IV. Appeal from Decision on Motion for Reconsideration. Within thirty days after the application for reconsideration is denied, or if the application is granted then within thirty days after the decision on such reconsideration, the applicant may appeal by petition to the superior court.

V. Burden of Proof. Upon the hearing the burden of proof shall be upon the party seeking to set aside the decision of the commission to show that the same is unreasonable or unlawful, and all findings of the commission upon all questions of fact properly before it shall be deemed to be *prima facie* lawful and reasonable; and the order or decision appealed from shall not be set aside or vacated, except for errors of law, unless the court is persuaded by the balance of probabilities, on the evidence before it, that said decision is unjust or unreasonable.

VI. Parties. Any person whose rights may be directly affected by said appeal may appear and become a party, or the court may order such persons to be joined as parties as justice may require.

VII. Procedure. Upon the filing of an appeal, the clerk of court shall issue an order of notice requiring a certified copy of the record appealed from to be filed with the court. The filing of an appeal shall not suspend the decision appealed from, unless the court, on application and for good cause shown, shall grant a restraining order.

VIII. Evidence; How considered. All evidence transferred by the commission shall be, and all additional evidence received may be, considered by the court regardless of any technical rule which might have

rendered the same inadmissible if originally offered in the trial of an action at law.

IX. Judgment. The final judgment upon every appeal shall be a decree dismissing the appeal, or vacating the decision complained of in whole or in part, as the case may be; but in case such decision is wholly or partly vacated the court may also, in its discretion, remand the matter to the commission for such further proceedings, not inconsistent with the decree, as justice may require.

X. Appeals to Court; Certifying Record. An order of court to send up the record may be complied with by filing either the original papers or duly certified copies thereof, or of such portions thereof as the order may specify, together with a certified statement of such other facts as show the grounds of the action appealed from.

XI. Hearing, etc. The court may take evidence or appoint a referee to take such evidence as it may direct and report the same with his findings of fact and conclusions of law.

XII. Costs. Costs shall not be allowed against the commission unless it shall appear to the court that it acted with gross negligence, or in bad faith, or with malice in making the decision appealed from.

XIII. Speedy Hearing. All proceedings under this subdivision shall be entitled to a speedy hearing.

#### 125:83 Variances.

I. Upon application and after a hearing, the commission may suspend the enforcement of the whole or any part of this subdivision or of any rule or regulation promulgated hereunder in the case of any person who shall show that the enforcement thereof would produce serious economic hardship on such person without equal or greater benefits to the public.

II. In determining under what conditions and to what extent the variance may be granted, the commission shall give due recognition to the progress which the person requesting such variance shall have made in eliminating or preventing air pollution; the character and degree of injury to, or interference with, the health and physical property of the people; and the social and economic value of the source of the air pollution. In such a case, the commission shall consider the reasonableness of granting a variance conditioned on the person's effecting a partial abatement of the pollution or a progressive abatement thereof or such other circumstances as the commission may deem reasonable. No variance shall be granted to any person applying therefor who is causing air pollution which creates a danger to public health, welfare, or safety.

III. Any variance granted hereunder shall be granted for such period of time, not exceeding one year, as the commission shall specify

but any variance may be continued from year to year. No variance shall be construed as to relieve the person receiving it from any liability imposed by law for the commission or maintenance of a nuisance.

**125:84 Authority of the Director in Cases of Emergency.** Whenever the director finds that an emergency exists requiring immediate action to protect the public health, welfare, or safety, he may with the consent of the governor and council issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. Such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately but on application to the commission, shall be afforded a hearing within forty-eight hours. On the basis of such hearing, the commission shall continue such order in effect, revoke it, or modify it.

**125:85 Injunctive Relief.** A civil action may be instituted in superior court on behalf of the agency for injunctive relief to prevent the violation of the provisions of this subdivision or codes, rules, or regulations of the commission, and said court may restrain in all such cases any person from violating any of the provisions of this subdivision or said codes, rules, or regulations.

**125:86 Penalty.** Any person who violates any of the provisions of this subdivision or rule or regulation of the commission or who violates any order of the agency shall be fined not less than fifty dollars nor more than five hundred dollars, and in addition thereto may be enjoined from continuing such violation. Each day any person neglects or refuses to comply therewith shall constitute a separate offense.

**125:87 Existing Remedies Unimpaired.** No existing civil or criminal remedy for any wrongful action which is a violation of any code, rule, or regulation promulgated hereunder shall be excluded or impaired by this subdivision.

**125:88 Protection of Powers.** The powers and functions vested in the department of health and welfare, division of public health services, under the provisions hereof, shall not be construed to affect in any manner the powers, duties, and functions vested in the department of health and welfare, division of public health services under any other provision of law.

**125:89 Severability of Provisions.** If any provision of this subdivision or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this subdivision which can be given effect without the invalid provision or application, and to this end the provisions of this subdivision are declared to be severable.

**433:2 Appropriation.** The following sums are hereby appropriated to be expended by the division of public health services for the purpose of implementation of this act:

	Fiscal 1968	Fiscal 1969
Personal services:		
Permanent	\$ 7,100	\$ 7,483
Other	5,000	5,000
	<hr/>	<hr/>
Total	\$12,100	\$12,483
Current expenses	2,000	2,000
Travel:		
In state	1,500	1,500
Out of state	500	500
Equipment	8,500	8,500
Other expenditures		
Commission expenses	1,500	1,500
Training	1,000	1,000
	<hr/>	<hr/>
Total appropriation	\$27,100	\$27,483
Less estimated federal funds	20,000	20,000
	<hr/>	<hr/>
Net appropriation	\$ 7,100	\$ 7,483
	<hr/>	<hr/>

The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

**433:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 7, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 434.

### AN ACT RELATIVE TO A STATE SCHOLARSHIP PROGRAM.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**434:1 New Chapter.** Amend RSA by inserting after Chapter 200-C as inserted by an act relative to vocational rehabilitation program passed by the 1967 general court the following new chapter:

### **Chapter 200-D**

#### **State Scholarship Program**

**200-D:1 Statement of Purpose.** It is hereby declared to be in the public interest for the state to supplement funds raised by scholarship corporations created by citizens so that they will be encouraged to raise and award money to resident youths who need help to pursue post secondary academic or vocational education.

**200-D:2 Administering Agency.** The state scholarship program established by this chapter shall be administered by the coordinating board of advanced education and accreditation.

**200-D:3 State Scholarship Fund.** The funds appropriated by the general court for the purpose of this chapter shall be designated as the State Scholarship Fund; and the state treasurer shall credit to such fund all money appropriated by the general court or otherwise received for such purposes. The said fund shall constitute a continuing appropriation to the coordinating board of advanced education and accreditation for the benefit of the scholarship program created by this chapter and any amount remaining to the credit of the said coordinating board at the close of any fiscal year shall not lapse but shall be carried over and credited to its account for the succeeding year. Payment of scholarship awards shall be charged to the state scholarship fund.

**200-D:4 State Scholarship Program.** There is hereby established a program of state scholarships for the benefit of residents of the state which shall be financed by the state and by such other revenues, income, expendable gifts, grants, devices, bequests, or income derived from non-expendable trusts as may become available to the state for the purpose of carrying out the objectives of this chapter. In each calendar year from money in the state scholarship fund, within the limits set forth in section 6, and on the terms and conditions hereinafter set forth, the coordinating board shall make scholarship awards to eligible persons recommended by it by qualified voluntary citizens' scholarship corporations.

**200-D:5 Corporations Qualified to Recommend Scholarship Awards.** The coordinating board shall make scholarship awards upon the recommendation of a voluntary corporation in any calendar year if the coordinating board shall find that the said corporation (1) is organized under the provisions of RSA 292 for the purpose of raising money from, and awarding scholarships to, residents of not more than ten geographically proximate New Hampshire towns and cities that are specified in the said corporation's articles of agreement; (2) awards scholarships without regard to race, color or creed pursuant to an impartial and reasonable method of selection by which it determines that applicants have the ability to benefit from further education and the degree to which they are in need of financial help; (3) admits to membership, upon payment of one

dollar or more, any resident of the towns and cities in which it solicits money as named in its articles of agreement and accords each member an equal vote with every other member in the affairs of the corporation; and (4) employs reasonable methods to assure that money received and paid is properly handled and accounted for to the corporation's membership.

**200-D:6 Limitation of Awards Based on Recommendations.** In any calendar year the amount of scholarship aid that the coordinating board, from money appropriated by the state, may award upon the recommendation of any qualified citizens' scholarship corporation shall not exceed twenty-five percent (25%) of the total amount of money that the said corporation in the preceding calendar year awarded in scholarships to residents from contributions received in the said preceding calendar year from sources other than governmental units, trusts and other endowments to the extent that in any of the five years preceding the year of the passage of this act annual income of the trust or endowment had been awarded in scholarships to New Hampshire residents provided, however, that the awards made upon the recommendation of any such corporation shall not exceed in any year, from money appropriated by the state, the amount of twenty-five cents multiplied by the population of the towns and cities specified in the said corporation's articles of agreement from the residents of which the corporation raises money and to whom it makes scholarship awards.

**200-D:7 Persons Eligible.** To be eligible to receive a scholarship award the coordinating board must find (1) that the applicant is a resident of this state; (2) that he has completed, successfully, the program of instruction at an approved high school or possesses education equivalent thereto or that he is a student in good standing at an approved high school engaged in a program of studies that is expected to lead to his successful completion of high school at the end of that academic year; (3) that he is in such need of financial help that he would be deterred from obtaining vocational or college education for which he is qualified in the absence of such help; (4) that he is in good standing and has a satisfactory record at any post secondary educational institution in which he may be enrolled at the time of any proposed award to him; and (5) that the scholarship award will be used at a college, vocational or other post secondary institution and for a course of study that is approved by the voluntary corporation that has made the recommendation.

**200-D:8 Duties of Coordinating Board.** From state appropriations for such purpose, the coordinating board shall make scholarship awards among eligible candidates recommended by qualified citizens' scholarship corporations. From funds received by the coordinating board from other than state appropriations, the coordinating board may award scholarships at the recommendation of qualified citizens' scholarship corporations

without reference to the limitations set forth in section 6. The coordinating board shall keep up to date and from time to time publish and distribute a directory of loans, scholarships and other financial aids available to residents of New Hampshire for post secondary, vocational and academic education through the college level.

**200-D:9 Powers of the Coordinating Board.** From time to time the coordinating board may adopt rules and regulations, consistent with the provisions of this chapter, to govern the method by which it will exercise its duties. Among other matters the coordinating board may adopt rules and establish regulations by which it will determine the eligibility of persons to receive scholarship awards and the qualifications of voluntary corporations to recommend scholarship candidates. If two or more voluntary corporations qualified to raise funds in, and make awards to the residents of, the same towns and cities shall make recommendations of residents of such towns and cities as candidates for scholarship awards, the coordinating board may award scholarships at the recommendation of any one or more of said corporations. In the event that the amount in the state scholarship fund is insufficient in any year to make scholarship awards recommended by qualified voluntary corporations in amounts for which their residents are qualified under this chapter, the coordinating board may allocate the available funds among candidates nominated by all such corporations in such way as it deems fair and equitable. The determination of the coordinating board relative to the eligibility of a person to receive a scholarship, the qualification of any corporation to recommend persons for scholarships, the awards to be made and all other determinations which the coordinating board is charged with in this chapter may be made by it without hearing and shall be conclusive. Upon request of the coordinating board a candidate for a scholarship award shall submit sworn financial statements as to his residence, the financial resources available to him in securing the desired higher education, and the annual costs he expects to incur in securing such education. The coordinating board is authorized to conduct such inquiry or require such submissions as it may deem necessary to verify information about, or the statements of, any candidate. Information obtained by the coordinating board about any candidate shall be maintained in confidence by it.

**200-D:10 Size and Restrictions on Awards.** Except as otherwise provided in this chapter, a person to whom a scholarship is awarded shall not be restricted as to the choice of study in schools in or out of the state, the post secondary school which he desires to attend or the course of study which he proposes to pursue provided that no such scholarship shall be paid to enable a candidate to pursue instruction in secular theology or study beyond the college level. All awards shall be for one year in specified amounts not to exceed five hundred dollars for the benefit of a recipient provided, however, that upon the recommendation of a quali-



fied corporation in any subsequent years the coordinating board may make not in excess of three further annual awards up to five hundred dollars each to a recipient who continues eligible for such award.

**200-D:11 Revocation of Scholarship.** If a person holding a state scholarship shall fail to comply with the rules of the coordinating board in respect to the use of such scholarship, or shall fail to attain the minimum level of achievement prescribed or imposed by such college on students therein, or shall for any reason be expelled or suspended from such college or shall absent himself therefrom without leave, the coordinating board may, upon evidence of such fact deemed by it sufficient, make an order revoking such scholarship and thereupon the unpaid balance of such scholarship shall become vacant and the person holding such scholarship shall not thereafter be entitled to further payment or benefits under this chapter.

**200-D:12 Payment of Scholarship Awards.** Payment of any scholarship award shall be made only after the coordinating board has received satisfactory evidence that the holder is enrolled for that term in the institution approved by the corporation that recommended him. At the direction of the coordinating board payment of scholarship awards may be made directly to the institution which a recipient is attending and in such installments and at such times as the coordinating board of higher education shall determine.

**200-D:13 Initial Awards.** The first scholarship awards under this chapter shall be made by the coordinating board prior to July 1, 1969. The amount of money raised and the scholarship aid awarded, by qualified citizens' scholarship corporations in calendar year 1968, shall be used as the basis for determining the amount of aid that the coordinating board may award upon the recommendation of such corporations prior to July 1, 1969.

**434:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 435.

AN ACT RELATIVE TO OPERATION OF UNINSPECTED MOTOR VEHICLES TO  
PLACE OF INSPECTION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**435:1 Motor Vehicles.** Amend RSA 260 by inserting after section 260:16 the following new section: **260:16-a Operation of Uninspected**

**Motor Vehicles.** The director is hereby authorized to design and issue, under such regulations and procedures as he shall deem appropriate, a permit to allow the operation of an uninspected motor vehicle from its location to an inspection station where for good cause shown the person requesting such permit has been unable to comply with the director's rules and regulations relating to inspection.

**435:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 436.

AN ACT PROVIDING A REVISION OF STATE BRIDGE AID AND TOWN BRIDGE AID.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**436:1 State Bridge Aid.** Amend RSA 242:9 as amended by 1957, 133:1 by striking out said section and inserting in place thereof the following: **242:9 Cost; How Borne: State Bridge Aid.** When public convenience and necessity require the construction or reconstruction of any bridge on a class II highway the cost thereof shall be borne as follows:

I. In towns whose valuation does not exceed \$1,000,000 the town shall pay one-sixth and the state five-sixths.

II. In towns whose valuation is more than \$1,000,000 and not more than \$2,000,000 the town shall pay one-fifth and the state four-fifths.

III. In towns whose valuation is more than \$2,000,000 and not more than \$4,000,000 the town shall pay one-quarter and the state three-quarters.

IV. In towns whose valuation is more than \$4,000,000 the town shall pay one-third and the state two-thirds.

**436:2 Town Bridge Aid.** Amend RSA 242:10 as amended by 1957, 134:1 by striking out said section and inserting in place thereof the following: **242:10 Town Bridge Aid.** When public convenience and necessity require the construction or reconstruction of any bridge on a class V highway the cost thereof shall be borne as follows:

I. In towns whose valuation does not exceed \$1,000,000 the state shall pay seven-eighths and the town one-eighth.

II. In towns whose valuation is more than \$1,000,000 and not more than \$2,000,000 the state shall pay four-fifths and the town one-fifth.

III. In towns whose valuation is more than \$2,000,000 and not more than \$3,000,000 the state shall pay three-fourths and the town one-fourth.

IV. In towns whose valuation is more than \$3,000,000 and not more than \$4,000,000 the state shall pay two-thirds and the town one-third.

V. In towns whose valuation is more than \$4,000,000 the state shall pay one-half and the town one-half.

**436:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 7, 1967.]

[Effective date July 1, 1967.]

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## CHAPTER 437.

AN ACT RELATIVE TO REDEMPTION OF LOANS MADE BY INDUSTRIAL PARK  
AUTHORITY TO RAGGED MOUNTAIN CORPORATION AND  
LIN-WOOD DEVELOPMENT CORPORATION.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**437:1 Appropriation for Redemption of Loans.** In accordance with the provisions of RSA 236-C:6, III, the sum of twenty-one thousand one hundred sixty-seven dollars and twenty-nine cents is hereby appropriated to the department of public works and highways, to be used by said department for the purpose of redemption of a loan previously made by the industrial park authority to Ragged Mountain Corporation of Danbury, for construction of a public road in the town of Danbury, to the ski area known as Ragged Mountain Ski Area, and the sum of one hundred twenty-one thousand three hundred ninety-three dollars and eighty-eight cents is hereby appropriated to the department of public works and highways, to be used by said department for the purpose of redemption of a loan previously made by the industrial park authority to Lin-Wood Development Corporation of Lincoln, for the construction of a public road in the town of Lincoln, to the ski area known as Loon Mountain Ski Area. The foregoing sums shall be added to the appropriation for construction and reconstruction of the department of public works and highways and shall be transferred to the industrial park authority upon approval of the governor and council. Upon authorization by governor and council for the foregoing transfer, the indebtedness of Ragged Mountain Corporation and Lin-Wood Development Corporation to the industrial park authority under the terms of the loans shall be extinguished. In order to provide the funds necessary for the appropriations made in this section, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from

time to time a total of one hundred forty-two thousand, five hundred sixty-one dollars and twelve cents for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name of and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. Issuance of these bonds and notes shall be in conformance with RSA 6-A as inserted by 1967, 88:1.

**437:2 Authorization Limited.** The appropriation in section 1 shall be contingent upon the appropriation made in 1963, 324:3 lapsing. In the event that bonds or notes are issued as authorized in 1963, 324:3 then the appropriation in the preceding section of this act shall be null and void.

**437:3 Effective Date.** This act shall take effect July 2, 1968.

[Approved July 7, 1967.]

[Effective date July 2, 1968.]

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## CHAPTER 438.

### AN ACT RELATING TO SALARIES OF JUSTICES, SPECIAL JUSTICES AND CLERKS AND CIVIL JURISDICTION OF DISTRICT COURTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**438:1 District Courts.** Amend RSA 502-A:6 (supp) as inserted by 1963, 331:1 and amended by 1965, 138:1, 1965, 294:1 and 1967, 193:1 by striking out said section and inserting in place thereof the following:  
**502-A:6 Salaries of Justices, Special Justices, Clerks.** The salaries of justices, special justices and clerks of the district courts shall be paid from the treasury of the city or town in which such courts are regularly located and may be paid quarterly or monthly as follows:

I. Salaries of Justices. The cities and towns in which the district courts are regularly located shall annually appropriate and pay the justices of the district courts salaries computed in the following manner: for the first fifteen hundred cases, three hundred and fifty dollars for each one hundred cases or fraction thereof; for the next one thousand cases, three hundred dollars for each one hundred cases or fraction thereof; and for all cases over twenty-five hundred, one hundred and fifty dollars for each one hundred cases or fraction thereof provided that the sum of five hundred dollars shall be added to the salary of each justice of a district court which has exclusive civil jurisdiction in cases where the damages do not exceed five hundred dollars. No justice shall be paid a

salary less than a sum equal to one hundred and eighty dollars for each thousand persons residing in the district, as reported in the last federal census, and no justice shall receive a salary greater than eighteen thousand dollars a year. The total cases reported annually from each district court to the judicial council shall be used in the computation of the salary of each justice as provided herein. The administrative committee of the district and municipal courts shall compute the salaries as provided in this section and shall annually, in November, notify the local governing body of each city or town in which each district court is regularly located the amount to be paid the justice, special justice and clerk for the next calendar year.

II. Salaries of Special Justices. The annual salaries of the special justices of the district courts shall be an amount equal to thirty per cent of the salary paid to justices as provided in paragraph I. Except that by vote of the local governing body the salary of the special justice may exceed thirty per cent of the salary of the justice of said district court or they may vote to pay said special justice twenty dollars for each day or part thereof that he shall serve in said capacity. Provided, however, in the event of the death, resignation or retirement of the justice and no appointment is made to fill the vacancy caused thereby for a period of sixty days, the special justice shall then be paid the salary of the justice until his vacancy is filled; and provided further, that if the justice is absent due to illness or disqualification for any other reason for a period of more than sixty days, the special justice shall be entitled to the salary of the justice until the justice is able to assume his duties. The special justices of other cities and towns and the justice of peace requested to sit owing to the disqualifications of the justice and special justice shall be paid from the treasury of the city or town wherein said court is located, twenty dollars a day for each day or part thereof that he shall serve in said capacity.

III. Salaries of Clerks. The annual salaries of the clerks of the district courts shall be an amount equal to sixty per cent of the salary paid the justice as provided in paragraph I.

438:2 Civil Causes. Amend paragraph I of RSA 502-A:14 (supp) as inserted by 1963, 331:1 and as amended by 1965, 327:1, by striking out the words "and Keene" in line one and inserting in place thereof the words (Keene, Laconia, Hampton, Portsmouth and Dover) so that said paragraph as amended shall read as follows: I. Exclusive Jurisdiction. Manchester, Nashua, Concord, Keene, Laconia, Hampton, Portsmouth and Dover district courts shall have original and exclusive jurisdiction of civil cases in which the damages claimed do not exceed five hundred dollars, the title to real estate is not involved and the defendant resides within the district. In all such actions as herein provided the parties shall be heard by the justice or special justice and the findings of fact shall be final but questions of law may be transferred to the supreme court in the same

manner as from the superior court. In addition, each such court shall have concurrent jurisdiction with the superior court of civil actions for damages in which the damages claimed exceed five hundred dollars but do not exceed fifteen hundred dollars with the powers conferred upon other district courts in the exercise of concurrent jurisdiction with the superior court by paragraphs II and III hereof.

**438:3 Practice of Law.** Amend RSA 502-A:21 (supp) as inserted by 1963, 331:1 by striking out the word "ten" in the last sentence of the section and inserting in its place the word (fifteen) so that said section as amended shall read as follows: **502-A:21 Disqualifications of Justices, etc.** No justice, special justice or clerk of any district court shall be retained or employed as attorney in any action, complaint, or proceeding pending in his court, or which has been examined or tried therein. No justice shall be retained or employed as an attorney in any matter pending before any other district court. No attorney shall be permitted to practice before any district court where any justice thereof is associated with said attorney in the practice of law. No justice whose salary exceeds fifteen thousand dollars per year shall be permitted to engage in the practice of law.

**438:4 Effective Date.** This act takes effect January 1, 1968.  
[Approved July 7, 1967.]  
[Effective date January 1, 1968.]

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## CHAPTER 439.

AN ACT AUTHORIZING THE WATER RESOURCES BOARD TO ASSIST LOCAL COMMUNITIES IN DEVELOPING RECREATIONAL PONDS AND APPROPRIATING FUNDS FOR CERTAIN PROJECTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**439:1 Soil Conservation Districts Projects.** Amend RSA 481 by inserting after section 26 as inserted by an act exempting from taxation certain non-revenue producing property of water resources board passed by the 1967 general court the following new sections:

**481:27 Small-Watershed Projects.**

I. The water resources board is authorized to cooperate with cities and towns in the development of small-watershed projects as planned by the soil conservation service of the United States Department of Agriculture and local sponsoring organizations, under the provisions of Public Law 566, as amended, and under section 25 of this chapter. Notwithstand-

ing any other provision of law, the exercise of eminent domain may not be applied on any lands needed to allow the enlarging of a dam beyond the height or length needed solely for flood control purposes.

II. Financial aid from the state for recreational purposes at such a project is contingent upon approval by the state soil conservation committee of a land use plan for proposed public development at each site under consideration. The state soil conservation committee shall review each site and shall assist the municipalities, local sponsoring organizations, and land owners in preparing a general land use plan for each site. The committee shall also assist the municipalities in the preparation of mutually acceptable applicable ordinances to which such a general land use plan shall conform.

III. A small-watershed project fund is created to receive state and local municipal contributions for payment of the cost of acquiring additional land and right of ways and for construction costs for recreation purposes to be included in the structures and appurtenances on the United States Soil Conservation Service projects. If the town joining in the project has matched the funds or any part of the funds appropriated for the project by the state and has deposited the matching funds into the small-watershed project fund, the water resources board is authorized to draw money from this fund for the purposes set forth in this section, subject to the conditions upon spending the matching funds set forth in the statute making the appropriation.

**481:28 Replacement of Highways.** If it becomes necessary to change the elevation of or to relocate a highway in the primary or secondary state highway system because of the construction of a dam or the impounding of water by a dam under a small-watershed project the cost of the change of elevation or the relocation of the highway to be paid by the sponsoring agency is the cost that would be in excess of the estimated normal replacement of that highway, as estimated by the commissioner of public works and highways. The department of public works and highways shall pay the costs of the change in an amount equal to the estimated cost of the normal replacement of the highway.

**439:2 Appropriation.** The sum of ten thousand dollars is appropriated to be expended at the discretion of the water resources board for purposes outlined in section 1.

**439:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

**CHAPTER 440.****AN ACT RELATIVE TO MINIMUM WAGES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**440:1 Repeal.** Paragraphs III and IV of RSA 279:1 defining woman and minor respectively are hereby repealed.

**440:2 Definition.** Amend paragraph V of RSA 279:1 by striking out in line two the words "women or minors" and inserting in place thereof the word (employees) so that said paragraph as amended shall read as follows: V. "Occupation," an industry, trade or business or branch thereof or class of work therein in which employees are gainfully employed, but shall not include domestic service in the home of the employer or labor on a farm.

**440:3 Employee Defined.** Amend RSA 279:1 by inserting after paragraph IX the following new paragraph: X. "Employee" shall mean and include every person who may be permitted, required or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment as defined in paragraph V.

**440:4 Substandard Wages.** Amend RSA 279:2 by striking out in line two the words "woman or minor" and inserting in place thereof the word (employee) so that said section as amended shall read as follows: **279:2 Prohibition of Substandard Wages.** It is hereby declared to be against public policy for any employer to employ any employee in an occupation in this state at an oppressive and unreasonable wage as herein defined and any contract, agreement or understanding for or in relation to such employment shall be null and void.

**440:5 Powers.** Amend RSA 279:3 by striking out the same and inserting in place thereof the following:

**279:3 Powers of Commissioner.** The commissioner or any representative duly authorized by him shall have full power and authority:

I. To investigate and ascertain the wages of employees employed in any occupation in the state;

II. To enter the place of business or employment of any employer of employees in any occupation for the purpose of examining and inspecting any and all books, registers, pay rolls, and other records of any employer of employees that in any way appertain to or have a bearing upon the question of wages of any such employees and for the purpose of ascertaining whether the orders of the commissioner have been and are being complied with; and

III. To require from such employer full and correct statements in writing of the wages paid to all employees in his employment.



**440:6 Investigation.** Amend RSA 279:4 by striking out the same and inserting in place thereof the following: **279:4 Investigations Authorized.** The commissioner shall have the power, and it shall be his duty on the petition of fifty or more residents of the state, to cause an investigation to be made by any authorized representative of the wages being paid to employees in any occupation to ascertain whether any substantial number of employees in such occupation are receiving oppressive and unreasonable wages as herein defined. If, on the basis of information in the possession of the commissioner, with or without a special investigation, the commissioner is of the opinion that any substantial number of employees in any occupation or occupations are receiving such oppressive and unreasonable wages, he shall appoint a wage board to report upon the establishment of minimum fair wage rates for employees in such occupation or occupations.

**440:7 Evidence.** Amend RSA 279:7 by striking out the same and inserting in place thereof the following: **279:7 — Commissioner to Assist.** The commissioner shall present to a wage board promptly upon its organization all the evidence and information in the possession of the commissioner relating to the wages of employees in the occupation or occupations for which the wage board was appointed and all other information which the commissioner deems relevant to the establishment of a minimum fair wage for such employees, and shall cause to be brought before the committee any witnesses whom the commissioner deems material. A wage board may summon other witnesses or call upon the commissioner to furnish additional information to aid it in its deliberations.

**440:8 Report.** Amend RSA 279:8 by striking out the same and inserting in place thereof the following: **279:8 — Report; Recommendations.** Within sixty days of its organization a wage board shall submit a report including its recommendations as to minimum fair wage standards for employees in the occupation or occupations the wage standards of which the wage board was appointed to investigate. If its report is not submitted within such time the commissioner may constitute a new wage board. A wage board may differentiate and classify employments in any occupation according to the nature of the service rendered and recommend appropriate minimum fair rates for different employments. A wage board may also recommend minimum fair wage rates varying with localities if in the judgment of the wage board conditions make such local differentiation proper and do not effect an unreasonable discrimination against any locality. A wage board may recommend a suitable scale of rates for learners and apprentices in any occupation or occupations, which scale of learners' and apprentices' rates may be less than the regular minimum fair wage rates recommended for experienced employees in such occupation or occupations.

**440:9 Special License.** Amend RSA 279:11 by striking out the same and inserting in place thereof the following: **279:11 Special License in Certain Cases.** For any occupation for which minimum fair wage rates have been established the commissioner may cause to be issued to any employee, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury, a special license authorizing employment at such wages less than such minimum fair wage rates and for such period of time as shall be fixed by the commissioner and stated in the license.

**440:10 Minimum Wage.** Amend RSA 279:21 as amended by 1955, 288:1; 1957, 311:1; 1959, 275:1 and 1963, 203:1 by striking out the same and inserting in place thereof the following:

**279:21 Minimum Hourly Rate.** No person, firm or corporation shall employ any employee at a rate of less than one dollar and twenty-five cents per hour provided that on and after February 1, 1968, such minimum rate shall be one dollar and forty cents per hour, and that on and after February 1, 1969 such minimum rate shall be one dollar and sixty cents per hour. The limitations imposed hereby shall be subject to the following exceptions.

I. These limitations shall not apply to employees engaged in household labor, domestic labor, farm labor, outside salesmen, summer camps for minors, restaurants, hotels, inns and cabins.

II. These limitations shall not apply to employees engaged as newsboys, non-professional ski patrolmen or golf caddies.

III. These limitations shall not apply to employees of hospitals, orphanages, or homes for the aged organized as non-profit corporations, except that no non-profit hospital corporation or non-profit orphanage, or homes for the aged shall employ such employees at a rate less than one dollar an hour provided that on and after February 1, 1968 such minimum rate shall be one dollar and fifteen cents per hour, and that on and after February 1, 1969 such minimum rate shall be one dollar and thirty cents per hour, and that on and after February 1, 1970 such minimum rate shall be one dollar and forty-five cents per hour, and that on and after February 1, 1971 such minimum rate shall be one dollar and sixty cents per hour.

IV. These limitations shall not apply to a person with less than six months' experience in an occupation provided, however, such person shall not be paid less than seventy-five per cent of applicable statutory minimum wage in an occupation, after application is filed by the employer with the labor commissioner within ten days after hire.

V. These limitations shall not apply to a person eighteen years of age or under provided, however, such person shall not be paid less than

seventy-five per cent of applicable statutory minimum wage rate and evidence of such person is kept on file by the employer.

VI. These limitations shall not apply to employees of nursing homes, except that no nursing home shall employ such employees at a rate less than one dollar and twenty-five cents an hour. On and after February 1, 1969 such minimum rate shall be one dollar and thirty cents, and on and after February 1, 1970 such minimum rate shall be one dollar and forty-five cents, and on and after February 1, 1971 such rate shall be one dollar and sixty cents.

**440:11 Special Authorization.** Amend RSA 279:22 as amended by 1955, 288:1; 1957, 311:2 and 1959, 275:2 by striking out the same and inserting in place thereof the following: **279:22 Special Authorization in Certain Cases.** Upon application by an employer, in the form and manner established by the commissioner, a person whose earning capacity the commissioner finds is impaired by age or by physical or mental deficiency may be employed at a sub-minimum wage rate established by regulations issued by the commissioner.

**440:12 Sheltered Workshops and Adjustments.** Amend RSA 279 by inserting after section 22 as amended by this act the following new sections:

**279:22-a Special Authorization for Sheltered Workshops.** Non-profit organizations or institutions wishing to engage in a sheltered workshop program must make application to the labor commissioner for special authorization for sub-minimum wage rates as provided by regulations issued by the commissioner of labor.

**279:22-b Wage Adjustment.** The commissioner of labor is hereby directed to readjust minimum wages for employees insofar as it may be necessary in view of the provisions of sections 21 and 22.

**440:13 Repeal.** RSA 279:23 establishing penalties to be paid to employees for violation of minimum wages, and RSA 279:24 as amended by 1957, 187:15, providing for the adjustment for minimum wages for women and minors, and RSA 279:25 relative to keeping of records are all hereby repealed.

**440:14 Records.** Amend RSA 279:27 by striking out the same and inserting in place thereof the following: **279:27 Records of Hours and Wages.** Every employer of employees shall keep a true and accurate record of the hours worked by each, wages paid to each, and classification of employment when necessary, and shall furnish to the commissioner or his authorized representative upon demand a sworn statement of the same. Such records shall be open to inspection by the commissioner or his authorized representative at any reasonable time. Every employer subject to a minimum fair wage order or statutory minimum

wage whether directory or mandatory shall keep a copy of such order or statutory minimum wage posted in a conspicuous place in every establishment in which employees are employed. Employers shall be furnished copies of posters on request without charge.

**440:15 Penalty.** Amend paragraph II of RSA 279:28 by striking out said paragraph and inserting in place thereof the following: II. Any employer or the officer or agent of any corporation who pays or agrees to pay to any employee less than the rates applicable to such employee under a mandatory minimum fair wage order or statutory minimum wage shall be fined not less than fifty nor more than two hundred dollars or imprisoned not less than ten nor more than ninety days, or both, and each week in any day of which such employee is paid less than the rate applicable to him under a mandatory minimum fair wage order or statutory minimum wage and each employee so paid less shall constitute a separate offense.

**440:16 Actions.** Amend RSA 279:29 by striking out the same and inserting in place thereof the following: **279:29 Civil Actions.** If any employee is paid by his employer less than the minimum fair wage to which he is entitled under or by virtue of a mandatory minimum fair wage order or statutory minimum wage he may recover in a civil action the full amount of such minimum wage less any amount actually paid to him by the employer together with costs and such reasonable attorney's fees as may be allowed by the court, and any agreement between him and his employer to work for less than such mandatory minimum fair wage or statutory minimum wage shall be no defense to such action. At the request of any employee paid less than the minimum wage to which he was entitled under a mandatory order or statutory minimum wage the commissioner may take an assignment of such wage claim in trust for the assigning employee and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court.

**440:17 Effective Date.** This act shall take effect February 1, 1968.

[Approved July 7, 1967.]

[Effective date February 1, 1968.]

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## CHAPTER 441.

### AN ACT RELATIVE TO TAKING FISHER AND BEAVER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**441:1 Fur-bearing Animals.** Amend RSA 210:3-a (supp) as inserted by 1965, 271:1 by striking out said section and inserting in place thereof

the following: **210:3-a Fisher, Open Season.** In any county in the state during the period from November 1 to March 1, the commission, with the approval of the director, may declare an open season on fisher by the use of dogs, traps and firearms. He may make such rules and regulations as he deems necessary as to the length of season and the bag limit. Whoever violates the provisions of this section or any rule or regulation promulgated hereunder shall be fined not less than ten dollars for the first and not more than fifty dollars for each additional fisher taken and possessed in violation of this section.

**441:2 Repeal.** RSA 210:8 (supp) as amended by 1955, 57:1, 1961, 24:2 and 1965, 271:3, relative to stamping and sale of fisher and beaver skins, is hereby repealed.

**441:3 Fisher and Beaver.** Amend RSA 210:9 by striking out said section and inserting in place thereof the following: **210:9 Protection.** Except as provided in this chapter no person shall take or possess fisher or beaver in this state. No person shall destroy or disturb or interfere in any manner with the dams or houses of beaver, without first obtaining a special permit from the director.

**441:4 Effective date.** This act shall take effect July 1, 1967.  
[Approved July 7, 1967.]  
[Effective date July 1, 1967.]

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## CHAPTER 442.

AN ACT RELATIVE TO THE SALARY OF, AND AMOUNT OF FEES TO BE COLLECTED BY, THE REGISTER OF DEEDS FOR STRAFFORD COUNTY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**442:1 Register of Deeds, Strafford County.** Amend RSA 478:18 by striking out the same and inserting in place thereof the following new sections:

**478:18 Salary.** The register of deeds for Strafford county shall be paid an annual salary of eight thousand dollars. Provided, however, that for the calendar year 1968 the salary of said register shall be nine thousand dollars. The salary of said register shall be paid in equal monthly installments.

**478:18-a Receipts.** The said register of deeds shall pay over monthly to the county treasurer all fees received by him as such register.

**478:18-b Assistants.** The said register of deeds is authorized to employ such assistants as may be required. The number of such assistants and the salaries to be paid such assistants shall be determined by the executive committee of the county delegation. The salaries of such assistants and any other expenses of the office of said register of deeds shall be paid by the county of Strafford.

**478:18-c Register of Deeds, Fees.** The register of deeds for the county of Strafford shall charge the following fees for documents recorded in, or services rendered by, his office:

I. For recording deeds, mortgages, leases, agreements, attachments, and like documents, three dollars for the first recorded page, plus two dollars for each additional recorded page. However, if the instrument contains the names of more than one grantor and one grantee an additional fee of fifty cents shall be charged for indexing the names of each additional grantor or grantee.

II. For recording discharge of real estate attachment, or marginal assignment, release or discharge of real estate mortgage, two dollars.

III. For each transfer furnished pursuant to section 14, fifty cents.

IV. For recording plans, five dollars for the first two hundred square inches thereof with one dollar for each additional one hundred square inches or part thereof.

V. For copying any document, the price to be established and posted by the register of deeds.

VI. The officer making an attachment of real estate shall, at the time of making it, pay to the register of deeds three dollars for the first recorded page, plus two dollars for each additional recorded page, which shall be in full for his services in receiving and filing the copy, certifying the time of receiving it, and entering the attachment upon the index; and the register shall be paid two dollars for recording the discharge of such attachment.

VII. When an attachment upon real estate is dissolved, or the levy thereunder is defeated, the plaintiff or his attorney, upon request, shall give to the defendant or owner of the land a discharge thereof, and the defendant or owner of the land, within thirty days after such attachment is dissolved or levy thereunder defeated, shall cause the discharge to be recorded in the office of the register of deeds, and shall pay the register two dollars for making such record.

VIII. An officer making a levy against real estate not attached shall pay to the register of deeds three dollars for the first recorded page plus two dollars for each additional recorded page for his fees and shall be entitled to the same fees for travel and copy as in the case of an attachment of real estate, all of which shall be returned upon the execution.

**442:2 Application of Statutes.** The provisions of RSA 478:17 relative to fees for registers of deeds shall not apply to the register of deeds for Strafford county.

**442:3 Effective Date.** This act takes effect on January 1, 1968.  
[Approved July 7, 1967.]  
[Effective date January 1, 1968.]

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## CHAPTER 443.

### AN ACT RELATING TO EQUIPMENT OF MOTORCYCLES, AND EQUIPMENT OF OPERATORS AND PASSENGERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**443:1 Equipment of Motorcycles, Their Operators and Passengers.** Amend RSA 263 by inserting after section 29 as amended by 1965, 207:3 the following new subdivision:

#### **Motorcycles**

**263:29-a Handle Bars or Grips.** No person shall operate on a public highway a motorcycle on which the handle bars or grips are more than fifteen inches higher than the seat or saddle for the operator. It shall be illegal to operate a motorcycle with improvised, defective or repaired handle bars.

**263:29-b Protective Headgear.** No person shall operate or ride upon a motorcycle unless he wears protective headgear of a type approved by the director. Such headgear shall be equipped with either a neck or chin strap. The director is hereby authorized and empowered to adopt and amend regulations covering the types of protective headgear and the specifications therefor and to establish and maintain a list of approved headgear which meet the specifications as established hereunder.

**263:29-c Eye and Face Protection.** If a motorcycle is not equipped with a wind shield or screen the operator of said motorcycle when operating said vehicle shall wear either eye glasses, goggles or a protective face shield.

**263:29-d Carrying Packages.** No person operating a motorcycle shall carry any packages, bundles, or articles which prevent the operator from keeping both hands on the handle bars.

**263:29-e Two Motorcycles in Single Lane.** No more than two motorcycles shall be operated side by side in a single lane.

**263:29-f Penalties.** Any person convicted of a violation of any provision of this subdivision shall be subject to the general penalty provided by RSA 262:28.

**443:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 444.

### AN ACT TO INCREASE THE REGISTRATION FEES OF ARCHITECTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**444:1 Registration Fees.** Amend RSA 310:20 as amended by 1965, 328:12 by striking out in lines seven through nine the words "twenty-five dollars, fifteen dollars of which shall accompany application, the remaining ten dollars to be paid upon issuance of certificate" and inserting in place thereof the words (one hundred dollars, seventy-five dollars of which shall accompany application, the remaining twenty-five dollars to be paid upon issuance of certificate); further amend said section by striking out the words "seven dollars and fifty cents" in line eleven and inserting in place thereof the words (twenty-five dollars) so that said section as amended shall read as follows: **310:20 Application and Registration Fees.** Applications for registration shall be on forms prescribed and furnished by the board, shall contain statements made under oath showing the applicant's education and detailed summary of his practical experience, and shall contain not less than five references, of whom three or more shall be architects having a personal knowledge of his architectural experience. The registration fee for registered architects shall be one hundred dollars, seventy-five dollars of which shall accompany application, the remaining twenty-five dollars to be paid upon issuance of certificate. Application to take the examination in fundamental architectural subjects prior to completion of the requisite years of experience in architectural work shall be accompanied by a fee of twenty-five dollars. This amount shall be credited against the total fee required for registration. Should the board deny the issuance of a certificate of registration to any applicant the initial fee deposited shall not be returned.

**444:2 Other Registration.** Amend RSA 310:17 as amended by 1965, 328:10 by striking out in line two the word "twenty-five" and inserting in place thereof the words (one hundred) so that said section as amended



shall read as follows: **310:17 Interstate Registration.** The board in its discretion, may, upon application therefor, and the payment of a fee of one hundred dollars, issue a certificate of registration as a registered architect to any person who holds a certificate of having passed a standard examination of the National Council of Architectural Registration Boards, or to any person who holds an unexpired certificate of registration issued to him by any state or territory or possession of the United States, provided that the applicant's qualifications meet the requirements of this chapter and the rules established by the board.

**444:3 Effective Date.** This act shall take effect July 1, 1967.

[Approved July 7, 1967.]

[Effective date July 1, 1967.]

## CHAPTER 445.

AN ACT TO INCREASE THE SALARIES OF CERTAIN STATE OFFICERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**445:1 Unclassified Salaries.** Amend RSA 94:1 as amended by 1955, 153:2; 321:1; 323:4, 6; 335:8; 1957, 90:1; 223:2; 274:4, 7; 315:2; 1959, 199:4; 268:12; 1961, 166:5; 221:4; 222:5; 223:4; 266:12; 1963, 39:2; 132:2; 209:2; 328:17; 303:14; 1965, 267:7 and 365:1; 1967, 95:6; 253:6 by striking out the same and inserting in place thereof the following: **94:1 Salaries Established.** The annual salaries for the positions set forth shall be as follows:

	Minimum	Maximum
Governor		\$30,000
Chief justice, supreme court		26,000
Chief justice, superior court		22,880
Associate justice, supreme court (4)		22,880
Associate justice, superior court (7)		20,800
Judges, probate court (10)		6,000
Racing commissioners (3)		3,120
Sweepstakes commissioner, chairman		4,680
Sweepstakes commissioners (2)		2,496
State entomologist		3,640
Adjutant general	\$12,480	14,040
Assistant attorneys general*	9,360	14,040
Assistant bank commissioner	10,920	12,480
Assistant business supervisor	10,920	12,480
Assistant commissioner, public works and highways	15,600	17,160

Assistant to insurance commissioner	9,360	10,920
Assistant state librarian	9,360	10,920
Assistant state treasurer	9,360	10,920
Assistant superintendent, New Hampshire hospital	18,429	21,549
Attorney general	16,640	18,200
Bank commissioner	14,040	15,600
Business supervisor	12,480	14,040
Chairman, water resources board	10,920	13,000
Clerk of supreme court and court reporter	14,040	15,600
Commandant, soldiers' home	8,320	9,880
Commissioner of agriculture	12,480	14,040
Commissioner of department of employment security	16,640	18,200
Commissioner of education	15,600	17,160
Commissioner of health and welfare	16,640	18,200
Commissioner of public works and highways	18,500	20,500
Commissioner of resources and economic development	15,600	17,160
Commissioner of safety	15,600	17,160
Comptroller	16,640	18,200
Coordinator of federal funds	13,000	15,600
Coordinator of highway safety	13,000	15,600
Counsel, department of employment security	11,752	13,312
Deputy attorney general	14,040	15,600
Deputy bank commissioner	12,480	14,040
Deputy commissioner of education	12,480	14,040
Deputy commissioner of public works and highways	15,600	17,160
Deputy director of data processing	15,500	19,500
Deputy director, New Hampshire distributing agency	7,280	8,840
Deputy director of personnel	10,920	12,480
Deputy insurance commissioner	10,920	12,480
Deputy labor commissioner	8,320	9,880
Deputy registers of probate:		
Rockingham	5,512	7,072
Strafford	4,784	6,167
Belknap	4,784	6,167
Carroll	4,784	6,167
Merrimack	5,512	7,103
Hillsborough	6,448	8,039
Cheshire	4,389	5,543
Sullivan	4,389	5,543
Grafton	4,784	6,167
Coos	4,389	5,543
Deputy secretary of state	11,500	13,000

Deputy state treasurer	11,500	13,000
Deputy superintendent, industrial school	8,320	9,880
Deputy superintendent, Laconia state school	16,120	17,680
Deputy warden, state prison	8,320	9,880
Director of aeronautics	12,480	14,040
Director, charitable trusts	4,680	6,240
Director of clinical services	16,120	17,680
Director of clinical and surgical services	16,120	17,680
Director of correctional psychiatry	16,120	17,680
Director of data processing	20,000	25,000
Director, division of accounts	13,520	15,080
Director of division of economic development	12,480	14,040
Director, division of mental health	22,230	25,350
Director of division of parks	12,480	14,040
Director, division of public health services	15,600	17,160
Director, division of purchase and property	12,480	14,040
Director of division of resources and development	12,480	14,040
Director, division of welfare	12,480	14,040
Director of fish and game	12,480	14,040
Director of motor vehicles	10,920	12,480
Director, New Hampshire distributing agency	9,360	10,920
Director, out-patient services	16,120	17,680
Director of personnel	12,480	14,040
Director of probation	10,000	11,500
Director of psychiatric education and research	16,120	17,680
Director of records management and archives	8,320	9,880
Director of safety services	10,920	12,480
Director of state police	12,480	14,040
Director of technical institute	12,480	14,040
Director, veterans' council	8,320	9,880
Executive director, real estate board	7,350	8,925
Executive director, sweepstakes		20,800
Executive director, water supply and pollution control commission	17,000	18,500
General counsel, department of employment security	12,480	14,040
Governor's councilors	40 per diem	
Insurance commissioner	14,040	15,600
Labor commissioner	12,000	13,500
Liquor commissioner, chairman	12,500	14,000
Liquor commissioners (2)	12,000	13,500
Parole officer	9,360	10,920
Public utilities commission, chairman	12,480	14,040
Public utilities commissioners (2)	11,960	13,520
Registers of probate:		
Rockingham		4,784

Strafford		4,576
Belknap		4,576
Carroll		4,576
Merrimack		4,784
Hillsborough		4,992
Cheshire		4,160
Sullivan		4,160
Grafton		4,576
Coos		4,160
Research assistant to the insurance commissioner	9,000	10,500
Secretary of state	14,500	16,000
Secretary, tax commission	14,500	16,000
Senior psychiatrist	15,184	17,607
State fire marshal	9,360	10,920
State librarian	10,920	12,480
State treasurer	14,500	16,000
State veterinarian	9,360	10,920
Superintendent, industrial school	14,040	15,600
Superintendent, Laconia state school	15,600	17,160
Superintendent, New Hampshire hospital	20,172	23,292
Superintendent, state sanatorium	14,040	15,600
Tax commissioner (2)	12,000	13,500
Warden, state prison	14,040	15,600
Water supply and pollution control commission:		
Chief aquatic biologist	11,000	12,500
Deputy executive director and chief engineer	14,500	16,000
Director municipal services and assistance	11,000	12,500

\*Notwithstanding the provisions of any other statute, the pay range for the assistant attorneys general shall be as set forth in this act.

Officials named in this section shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and in accordance with RSA 94:3. Racing commissioners, sweepstakes commissioners, and the state entomologist only excepted, any official whose salary upon placement in the new salary range is less than that of a subordinate classified employee in his department shall be placed at the next higher step in range above said classified employee and shall be entitled to any increase provided for herein until the maximum is reached.

Notwithstanding any other provisions of law to the contrary, the salaries of judges of probate court, deputy registers of probate, and registers of probate shall be as set forth above.

**445:2 Appropriation.** There is hereby appropriated for the fiscal year ending June 30, 1968 for salary increases provided in section 1 of this bill the following sums: sixty-eight thousand, six hundred ninety three dollars from the general funds of the state; six thousand three hun-

dred thirty five dollars from highway funds; six hundred dollars from fish and game funds; five thousand six hundred and forty dollars from self-sustaining funds; and six hundred dollars from federal funds. Like amounts are hereby appropriated for the fiscal year ending June 30, 1969.

**445:3 Temporary Authority to Increase Salaries.** For the period from the effective date of this act to January 1, 1969, upon request of the appointing authority of any department or agency, the governor and council are hereby authorized and empowered, notwithstanding any other provisions of law to the contrary, upon a finding by them that it is in the best interest of the state and is necessary in order to recruit or to retain qualified personnel to increase the salary of any unclassified position within the established range as set by RSA 94:1.

**445:4 Legislative Budget Assistant.** Notwithstanding the provisions of two acts passed by the 1967 General Court one making appropriations for the expenses of certain departments of the state for the year ending June 30, 1968 and the other bearing the same title but for the year ending June 30, 1969 or any other statute to the contrary the compensation of the legislative budget assistant for the entire biennium ending June 30, 1969 shall be \$18,380 yearly.

**445:5 Real Estate Board.** Any appropriations provided for the real estate division for the insurance commissioner for the fiscal years 1967-1968 and 1968-1969 shall on and after October 1, 1967 be transferred to the real estate board as established by an act passed at the 1967 session of the legislature for expenditure by said board.

**445:6 Change in Effective Date.** Amend the act establishing a real estate board passed by the 1967 General Court by striking out section 7 and inserting in place thereof the following: **7 Effective Date.** This act shall take effect October 1, 1967.

**445:7 Effective Date.** This act shall take effect July 14, 1967.

[Approved July 7, 1967.]

[Effective date July 14, 1967.]

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## CHAPTER 446.

### AN ACT INCREASING THE SALARIES OF THE HILLSBOROUGH COUNTY COMMISSIONERS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**446:1 Salaries of Hillsborough County Commissioners Increased.** Amend RSA 28:28 (supp) as amended by 1955, 247:4 and 269:1; 1957,

182:1 and 246:1; 1961, 80:1, 157:1 and 210:1; 1963, 94:1, 329:2; 1965, 142:1, 191:1, and 262:1; and four acts passed at the 1967 session relative to salaries of commissioners of the counties of Rockingham, Strafford, Grafton and Merrimack by striking out the words "In Hillsborough, forty-five hundred dollars" and inserting in place thereof the words (In Hillsborough, five thousand dollars) so that said section as amended shall read as follows: **28:28 Commissioners.** The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, thirty-five hundred dollars.  
In Strafford, two thousand dollars.  
In Belknap, fifteen hundred dollars.  
In Carroll, eighteen hundred dollars.  
In Merrimack, twenty-two hundred fifty dollars.  
In Hillsborough, five thousand dollars.  
In Cheshire, two thousand dollars.  
In Sullivan, eighteen hundred dollars.  
In Grafton, twenty-one hundred and fifty dollars.  
In Coos, two thousand dollars.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

**446:2 Effective Date.** This act shall take effect July 1, 1967, provided that the increase in salaries of the county commissioners of Rockingham and Strafford counties shall not take effect until January 1, 1968.

[Approved July 7, 1967.]

[Effective July 1, 1967.]

Rockingham and Strafford counties effective January 1, 1968.]

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## CHAPTER 447.

### AN ACT RELATIVE TO THE DISPOSITION OF ABANDONED ANIMALS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**447:1 New Chapter.** Amend RSA by inserting after chapter 471-A (supp) as inserted by 1965, 214:1 and amended by 1967, 5:1 and 261:1, 2, 3 the following new chapter:

#### Chapter 471-B

##### Unclaimed and Abandoned Animals

**471-B:1 Definitions.** As used in this chapter, unless the context otherwise requires:

I. "Animal" means a domestic animal, a household pet, or a wild animal in captivity.

II. "Owner" means the person having the right of possession of an animal, whether such right was acquired by gift, purchase, or other means.

III. "Animal care center" means any veterinary establishment, humane society, boarding kennel, or other center providing care and treatment for animals.

IV. "Abandoned animal" means any animal whose owner neglects or refuses to reclaim it within ten days after the mailing of the notification provided for in section 2 of this chapter; or any animal left in an animal care center by a person unknown or by an owner who, when leaving the animal, gives a false name or false address.

V. "Operator" means the director, manager, veterinarian, or other person charged with the supervision of an animal care center.

**471-B:2 Notice to Owner.** The operator of an animal care center having custody of an animal, the owner of which has refused or neglected to pay, and/or reclaim for a period of ten days, the just fees and charges due for boarding, grooming, surgical, medical, or other care of the animal shall notify said owner by registered mail of the intention of the operator to treat the animal as an abandoned animal, within the meaning of this chapter, if said animal is not reclaimed or the charges and fees paid by the owner within ten days after the mailing of such notification.

**471-B:3 Disposition of Abandoned Animals.** Ownership of an animal shall vest in the operator of the animal care center having custody thereof upon determination that said animal has been abandoned under the provisions of this chapter and the operator may dispose of such abandoned animal in any lawful manner as if he were the rightful owner thereof.

**471-B:4 Duty of Operator.** It shall be the duty of the operator of an animal care center, when taking custody of an animal, to advise the owner thereof of the provisions of this chapter.

**447:2 Possession and Sale of Colts.** Amend RSA 575 by inserting after section 1 the following new section:

**575:1-a Possession and Sale of Colts Under Ninety Days Old.**

I. It is unlawful for any person in this state to have in his possession an equine colt that is less than ninety days old that is not being nursed by its dam, unless the colt was born in this state, and its dam has died within this state before the colt became ninety days old.

II. It is unlawful for any person in this state to sell an equine colt that is less than ninety days old that is not being nursed by its dam.

III. If convicted of a violation of this section a person shall be fined

not more than one hundred dollars or ninety days in jail or both. Further amend the bill by renumbering section 2 to read section 3.

**447:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 448.

AN ACT RELATIVE TO SCHOOL ATTENDANCE REGISTERS, WATERTVILLE VALLEY SCHOOL DISTRICT AND COMPREHENSIVE HIGH SCHOOLS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**448:1 Form of Register.** Amend paragraph VI of RSA 186:11 by striking out in line one the word "in" and inserting in place thereof the word (concerning) so that the paragraph as amended shall read as follows: VI. School Registers. Prescribe the form of the register to be kept concerning the schools, the form of blanks and inquiries for the returns to be made by the school boards, and seasonably send the same to the clerks of the several cities and towns for the use of the school boards therein.

**448:2 Blank Registers to be Furnished.** Amend RSA 189:27 by striking out in line two the words "every teacher one of the" and inserting in place thereof the words (the responsible person a supply of) so that the section as amended shall read as follows: 189:27 Register; Examinations. The school board shall furnish to the responsible person a supply of blank registers provided by the state board, and shall visit and examine each school in their district at least twice in each term, once near the beginning and once near the close thereof.

**448:3 Register Entries.** Amend RSA 189:42 by striking out in lines one, three and four the words "every teacher" and inserting in place thereof the words (the person responsible) so that the section as amended shall read as follows: 189:42 Registers. The person responsible shall make the entries in the register required by the state board of education, and at the close of the term return the register to the school board. Twenty dollars of the wages of the person responsible shall be withheld until such return is made.

**448:4 Waterville Valley School District Established.** That part of Laws, 1963, 147:4 which abolished the Waterville school district of the town of Waterville, now Waterville Valley by authority of an act changing the name of the town of Waterville to Waterville Valley, approved Feb-



ruary 1, 1967, and adopted by the voters of the town of Waterville at its March 14, 1967 annual meeting, is repealed. Any property of the school district of Waterville that was conveyed to the town of Waterville by authority of the Laws, 1963, 147:4 shall be conveyed back to the Waterville Valley school district, unless money has been transferred to the town, in which case the money shall remain the property of the town. After the effective date of this act, the Waterville Valley school district has all of the powers and obligations and duties granted to or placed upon other school districts of the state under the provisions of RSA, except that the school district shall not vote any money to be spent for any school fiscal year prior to the fiscal year beginning July 1, 1968.

**448:5 Comprehensive High Schools.** Amend RSA 194:23-d as inserted by 1959, 246:2 and amended by an act relative to school building and foundation aid passed by the 1967 general court, by striking out the same and inserting in place thereof the following:

**194:23-d State Financial Aid.** An elementary school, a high school or a comprehensive high school must be approved by the state board of education in order to qualify the district or cooperative school district maintaining such school to receive any form of financial state aid to education for schools or pupils in attendance thereat which are now or which may hereafter be provided by the general court of this state. A school district or a cooperative school district maintaining an approved high school shall also, in order to qualify for such state financial aid, appropriate sufficient funds to meet the cost of tuition for such high school pupils as reside in its school district as desire to attend an approved comprehensive high school in this state or in a bordering state due to the fact that such approved comprehensive high school offers courses better suited to the needs and capabilities of said pupils. Any person having the custody of a high school student desiring to attend an approved comprehensive high school may apply to the state board of education for relief if such person is dissatisfied with the action of the school board and the state board after notice to the school board may order such pupil to attend an approved comprehensive high school and the school district of residence of such pupil shall be liable for the cost of tuition.

**448:6 Effective Date.** Sections 1 through 4 shall take effect sixty days after passage and section 5 shall take effect July 1, 1969.

[Approved July 7, 1967.]

[Effective date sections 1 through 4 effective September 5, 1967  
section 5 effective July 1, 1969.]

**CHAPTER 449.****AN ACT AUTHORIZING SCHOOL BUILDING AID FOR THE CONSTRUCTION OF  
SUPERVISORY UNION FACILITIES.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**449:1 Administration Buildings.** Amend RSA 194:3 as amended by 1959, 164:1 by striking out the section and inserting in place thereof the following:

**194:3 Powers of Districts.** School districts may raise money, as required by law, or, in addition thereto, to procure land for lots for schoolhouses and supervisory union facilities, and for the enlargement of existing lots; to build, purchase, rent, repair, or remove schoolhouses and outbuildings, buildings to be used for occupancy by teachers in the employ of such school district, and buildings to be used for educational administration including office facilities for supervisory unions; to procure insurance against such risks of loss, cost or damage to itself, its employees or its pupils as its school board may determine; to provide group plan life, accident, medical, surgical and hospitalization insurance benefits, or any combinations of such benefits, for all regular employees of the district and their dependents, the cost thereof to be borne in whole or in part by the district; to plant and care for shade and ornamental trees upon schoolhouse lots; to provide suitable furniture, books, maps, charts, apparatus and conveniences for schools; to purchase vehicles for the transportation of children; to provide for health and sanitation; and to pay debts.

**449:2 School Building Aid.** Amend RSA 198:15-a as inserted by 1955, 335:9 by inserting in line three after the word "buildings" the words (and educational administration buildings, including office facilities for supervisory unions) so that the section as amended shall read as follows: **198:15-a Annual Grant for the Payment of Debt Service for School Construction.** To aid local school districts in meeting the costs of the payment of debt for school buildings and educational administration buildings, including office facilities for supervisory unions, the state board of education shall, from funds appropriated by the general court to carry out the provisions of this subdivision, pay annually to the school districts of the state, sums in accordance with the provisions of this subdivision.

**449:3 Amount of Grant; Educational Administration Buildings.** Amend RSA 198:15-b (supp) as inserted by 1955, 335:9 and amended by 1957, 301:1, 1963, 277:3; 1965, 150:2 and by two acts passed by the 1967 general court, one, an act relative to school building and foundation aid and two, an act relative to school building aid, by striking out said section and inserting in place thereof the following:

**198:15-b Amount of Annual Grant.** The amount of the annual grant to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, or any receiving district operating an area school as defined in RSA 195-A:1, shall be a sum equal to thirty per cent of the amount of the annual payment of principal on all outstanding borrowings of the school district, city, cooperative school district or receiving district, heretofore or hereafter incurred, including loans made by the New Hampshire school building authority, for the cost of construction or purchase of school buildings and supervisory union facilities, to the extent approved by the state board of education, provided that any school district may receive an annual grant in the amount of forty per cent for the construction of an educational administration building for supervisory union, and provided that the amount of the annual grant in the case of a cooperative school district, or a receiving district operating an area school, shall be forty per cent plus five per cent for each pre-existing district in excess of two and each sending district in excess of one, and provided further that no cooperative school district, or receiving district operating an area school, shall receive an annual grant in excess of fifty-five per cent. For the purposes of computing grants hereunder the amount of the annual payment of principal shall be increased by an amount equal to the amount of capital reserve and/or amount raised by taxation which was actually expended for the project at any time, divided by the number of years for which bonds or notes were issued to provide funds for such school building or supervisory union facilities. If the project was entirely financed by the use of capital reserve or amounts raised by taxation, the aid provided herein shall be paid in ten equal annual grants. For the purposes of this subdivision construction shall include the acquisition and development of the site, construction of a new building and/or additions to existing buildings including alterations providing additional pupil capacity, architectural and engineering fees, purchase of equipment and any other costs necessary for the completion of the building as approved by the state board of education; and purchase of school buildings shall include the acquisition and improvement of land in connection therewith and the remodeling, altering, repairing, equipping and furnishing of such buildings as approved by the state board of education.

**449:4 Schoolhouses; Supervisory Union Facilities.** Amend RSA 199:1 by inserting at the end thereof the following words; (For the purposes of this chapter, in addition to their usual meanings, the words "schoolhouse" and "school building" also mean educational administration building, including supervisory union facilities) so that the section as amended shall read as follows: **199:1 Location and Construction by District.** The district may decide upon the location of its schoolhouses by vote or by a committee appointed for the purpose, provided, however, that all plans, specifications, and the selection of site for any new school

buildings for any school district within the state shall be approved by the school board of the district in which it is proposed to construct such a building. Before approving such buildings and locations the school board shall consult the state board of education who may make recommendations to the school board as to any changes it deems necessary. The provisions of this section shall apply to all new construction of public school buildings, including those constructed by grant or loans of funds from state, the federal government, or other sources. The state board of education shall recommend the postponement of the construction of new school buildings and facilities in cases in which it finds that price levels and costs of construction when compared with the relative needs of the school district, or other expedient reasons, make it more advantageous for the school district to postpone such construction to a later date, which recommendation shall be advisory in nature only. For the purposes of this chapter, in addition to their usual meanings, the words "schoolhouse" and "school building" also mean educational administration building, including supervisory union facilities.

**449:5 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 7, 1967.]

[Effective date September 5, 1967.]

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## CHAPTER 450.

### AN ACT REQUIRING REGISTRATION FOR OPERATION OF SO-CALLED SNOW TRAVELING VEHICLES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**450:1 Snow Traveling Vehicles.** Amend RSA 262 by inserting after section 45 (supp) as inserted by 1967, 276:1 the following new subdivision:

#### **Snow Traveling Vehicles**

##### **262:46 Definitions.**

I. "Director" shall mean the director of motor vehicles.

II. "Snow traveling vehicle" shall mean any vehicle propelled by mechanical power that is designed to travel over ice or snow supported in part by skis, belts or cleats, or low pressure tires, used principally for recreational purposes.

III. Operate. The verb "to operate" in all its moods and tenses when it refers to a snow traveling vehicle means to use that vehicle in

any manner within the jurisdiction of the state whether or not said vehicle is underway.

IV. "Cowling" the forward portion of the vehicle usually of fibre glass, or similar material surrounding the motor and clutch assembly.

**262:47 Registration.** No snow traveling vehicle shall be operated in this state unless registered under this chapter, except as otherwise provided. No snow traveling vehicle shall be registered until the registrant has obtained a permit to register in the same manner as in the case of motor vehicles as prescribed in RSA 260:22 and pay the fees prescribed in RSA 260:27. The provisions of RSA 262:30 shall not apply. The director of motor vehicles is authorized to register such snow traveling vehicle and issue a registration certificate and assign a registration number plate to such vehicle. All such registrations shall expire at the end of March thirty-first in each year. The director of motor vehicles shall receive a fee of six dollars for each registration issued hereunder, two dollars of which shall be retained by the division of motor vehicles to defray expenses incurred in connection with the manufacture and issuance of registration plates; four dollars shall be transferred to the fish and game department of the state of New Hampshire.

**262:48 Operation without Registration.** A snow traveling vehicle, owned by a non-resident of this state, which is duly registered in the state of the owner's residence shall not be required to be registered in this state provided the state of the owner's residence grants a reciprocal privilege for the operation of such vehicles owned by residents of this state and registered under its laws. The director for the purposes of this section shall determine the extent of the privilege of operation granted by other states and his determination shall be final.

**262:49 Racing.** No snow traveling vehicles brought into this state for the purpose of taking part in a race or other contest which has not been in the state in excess of ten days shall be required to be registered as provided herein if the director shall have issued a special permit authorizing it to be used for racing or contest purposes.

**262:50 License Necessary.** No person shall operate a snow traveling vehicle upon any way in this state unless licensed to operate a motor vehicle as provided by RSA 261:1, 6, 6-a, 6-b, 6-c, and 7. Any non-resident of this state who is duly licensed to operate a motor vehicle in the state of his residence may operate a snow traveling vehicle in this state.

**262:51 Dealers.** A manufacturer of or dealer in snow traveling vehicles shall register with the director of motor vehicles. The director shall assign a distinguishing number to the applicant and issue to said manufacturer or dealer three registration plates bearing the number assigned to said dealer or manufacturer. The fee for such registration shall be

twenty-five dollars, ten dollars of which shall be retained by the division of motor vehicles; fifteen dollars shall be transferred to the fish and game department. A registration plate shall be attached to each snow traveling vehicle, which may be used only for the purpose of demonstration or sale.

**262:52 Temporary Plates.** The director shall provide registered dealers and manufacturers with temporary registration plates at fifty cents each. When a snow traveling vehicle is sold at retail the dealer or manufacturer may attach a temporary plate to the vehicle bearing the date of sale, which shall be valid for ten days from the date. The registration plate shall be displayed upon the cowl of the vehicle.

**262:53 Transfer.** When the owner of a registered snow traveling vehicle transfers the ownership of such vehicle and during the same registration year registers another snow traveling vehicle he shall be entitled, upon payment of two dollars, to a credit to the amount of any such permit fee he has paid toward other permit fees that may be required of him in the same registration year. A person who transfers the ownership of a snow traveling vehicle upon application may have registered in his name another snow traveling vehicle for the remainder of the registration year upon payment of a fee of two dollars.

**262:54 Authority Under Registration.** No person shall operate a snow traveling vehicle upon controlled access highways of this state or within the limit thereof. No person shall operate a snow traveling vehicle upon the main traveled portion, or the plowed snow banks, of any public way except for loading and unloading from another vehicle with the following exceptions:

I. Crossing ways. Properly registered snow traveling vehicles may cross, as directly as possible, preferably at right angles, public ways, except controlled access highways, provided that such crossing can be made in safety and that it does not interfere with the free movement of vehicular traffic approaching from either direction on such public way. It shall be the responsibility of the operator of a snow traveling vehicle to yield the right of way.

II. Adjacent to a Public Way. Whenever it is impracticable to gain immediate access to an area adjacent to a public way where a snow traveling vehicle is to be operated, said snow traveling vehicle may be operated adjacent and parallel to such public way for the purpose of gaining access to the area of operation. This paragraph shall apply to the operation of a snow traveling vehicle from the point where the same is unloaded from motorized conveyance to the area where the snow traveling vehicle is to be operated, or from the area where operated to a motorized conveyance when such loading or unloading cannot be effected in the immediate vicinity of the area of operation without causing a hazard to vehicular traffic approaching from either direction on said way. Such

loading or unloading must be accomplished with due regard to safety, at the nearest possible point to the area of operation. Under no circumstances, except as provided, is a snow traveling vehicle to be operated on the main traveled portion of a way that has been plowed or on a snow bank immediately adjacent to the plowed portion of the way, unless such operation is conducted for the sole purpose of crossing said way as provided for in paragraph I.

III. Other Portions. Snow traveling vehicles operated on that portion of a public way that is not maintained or utilized for the operation of conventional motor type vehicles.

IV. Under no circumstances are snow traveling vehicles permitted to cross any section of the interstate highway system, toll roads or turnpikes of this state.

**262:55 Operation. I.** Reckless operation. It is unlawful for any person to operate any snow traveling vehicle recklessly.

II. Operating under influence. It is unlawful to operate any snow traveling vehicle while intoxicated or at all under the influence of intoxicating liquor in any place.

III. Operating to Endanger. It is unlawful for any person to operate any snow traveling vehicle so as to endanger any person or property.

IV. Prudent speed. It is unlawful to operate any snow traveling vehicle except at a reasonable and prudent speed for the existing conditions.

**262:56 Accidents.** The operator of any snow traveling vehicle involved in an accident upon a public way resulting in injuries to or death to any person or property damage to the estimated amount of fifty dollars or more, or some person acting for him, or the owner of said snow traveling machine having knowledge of the accident should the operator of same be unknown, shall immediately notify a proper law enforcement agency of the facts relating to the accident and within forty-eight hours file a report of the circumstances with the director of motor vehicles on such forms as he shall prescribe. For any accident occurring on a public highway the owner, the operator, or both shall be subject to the provisions of the New Hampshire financial responsibility law.

**262:57 Enforcement.** The provisions of this section shall be enforced by every law enforcement officers including conservation officers of the fish and game department, members of the state police, sheriffs, deputy sheriffs, policemen and constables.

**262:58 Penalties.**

I. Any person who violates this chapter or any rule or regulation relating thereto shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each offense. In addition thereto the oper-

ator and/or owner of such vehicle shall be responsible and held accountable to the owner of any lands where trees, shrubs or other property has been damaged as a result of travel over their premises.

II. Any person against whom a tax on a snow traveling vehicle has been assessed as of April 1, 1967 who has paid a permit fee on said vehicle may apply for abatement in writing to the selectmen on or before December 31, 1967 and upon such application the tax assessed on said vehicle shall be abated.

**450:2 Definition.** Amend paragraph III of RSA 72:15 by inserting after the word "type" in line four the word (snow traveling vehicles) so that said paragraph as amended shall read: III. Vehicles. Vehicles in excess of the aggregate value of one hundred dollars; provided however, that motor vehicles, house trailers and all trailers and semi-trailers used in connection with a vehicle of the tractor type, snow traveling vehicles and farm trailers, shall not be regarded as vehicles.

**450:3 Effective Date.** This act shall take effect ninety days after passage.

[Approved July 7, 1967.]

[Effective date October 5, 1967.]

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## CHAPTER 451.

AN ACT ESTABLISHING A COMMISSION TO RECOMMEND A CODIFICATION OF  
THE CRIMINAL LAWS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**451:1 Commission Appointed.** The governor shall appoint a commission consisting of three persons learned in the law who are authorized and directed to supervise the work necessary to revise, codify and amend the criminal laws of this state and to arrange the same in a systematic, annotated and condensed form, so far as they deem wise, according to the general scheme and plan of the Revised Statutes Annotated.

**451:2 Compensation.** The commission shall serve without pay but may be reimbursed from the funds herein appropriated for all reasonable expenses incurred in carrying out the provisions of this chapter.

**451:3 Duties and Powers.** The commission shall accomplish its purposes as provided in section 1 in the most economical manner possible. The commission shall have full authority to accept any available assistance in its work and to employ such assistants as it may deem necessary. The



commission shall report its recommendations to the general court in January 1969.

**451:4 Appropriation.** The sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the purposes of this act. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

**451:5 Effective Date.** This act shall take effect upon its passage, except that section 4 shall take effect July 1, 1967.

[Approved July 3, 1967.]

[Effective date — section 4 effective  
July 1, 1967; remainder of act on  
passage.]

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## CHAPTER 452.

### JOINT RESOLUTION PROVIDING ADDITIONAL APPROPRIATION FOR THE TAX COMMISSION.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of ten thousand dollars is hereby appropriated for the fiscal year ending June 30, 1967, to be expended by the state tax commission for purchase of additional tobacco tax stamps necessitated by unexpected increase in sale of tobacco products. The money so appropriated shall be used for purchase of tobacco tax stamps only. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved January 31, 1967.]

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## CHAPTER 453.

### JOINT RESOLUTION APPROPRIATING FUNDS FOR THE ESTABLISHMENT AND MAINTENANCE OF CERTAIN POSITIONS IN THE BUREAU OF CHILD WELFARE.

*Resolved by the Senate and House of Representatives in General Court convened:*

**Appropriation.** The sums hereinafter mentioned are appropriated for the fiscal year ending June 30, 1967, for the bureau of child welfare services in the division of welfare of the department of health and welfare:

Administration:		
Social security		\$860.
Field Services:		
Personal services:		
Other	\$23,710.	
Current expenses	5,800.	
Travel:		
In state	2,550.	
Out of state	1,500.	
	<hr/>	
Total		33,560.
		<hr/>
Total appropriated		\$34,420.
		<hr/> <hr/>

The above appropriation provides for the continuation of twenty-one presently authorized temporary positions until July 1, 1967.

- 5 Supervisors
- 11 Caseworkers
- 5 Clerk-Stenographers I

The sums hereby appropriated are in addition to any other sums appropriated for the bureau of child welfare for the fiscal year ending June 30, 1967, and the governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.  
[Approved February 1, 1967.]

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## CHAPTER 454.

### JOINT RESOLUTION TO PROVIDE FOR THE 1967 NORTH AMERICAN ALPINE CHAMPIONSHIPS AT CANNON MOUNTAIN IN NEW HAMPSHIRE.

WHEREAS, Cannon Mountain in Franconia Notch State Park has been selected by the Federation International de Ski for the North American Alpine Championships, and

WHEREAS, on March 10, 11 and 12, 1967, teams from France, Switzerland, Austria, Canada, Italy and Germany will be competing against United States ski teams as a prelude to the 1968 World Olympics representing the largest sporting event ever to take place in New Hampshire, and

WHEREAS, this event will be telecast live and in color nationally and taped for broader distribution throughout the world and broadcast by radio and Armed Services Radio overseas and will bring to New Hamp-

shire, sports writers, news media and other dignitaries from this country and other parts of the world, and

WHEREAS, it has been recognized that the lasting importance and effect of this event depends largely on its complete success, local interest and the sponsoring club have pledged upwards of \$35,000 in money, goods and services as their share of making this event a success to bring fame and fortune to New Hampshire, now, therefore, be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of forty-one thousand, seven hundred seventy-nine dollars is hereby appropriated to the division of parks, department of resources and economic development to meet necessary state expenses in connection with this event. The sum appropriated may be used for course preparation and other race expenses including pressroom facilities, entertainment, decorations, advertising, promotion and other administrative costs and also may include any necessary reimbursement to division of parks funds for any expenses they may have incurred or will incur to insure the success of this event.

[Approved February 15, 1967.]

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## CHAPTER 455.

### JOINT RESOLUTION PROVIDING ADDITIONAL FUNDS FOR THE DEPARTMENT OF SAFETY.

WHEREAS, paragraph 4 of chapter 240 of the Laws of 1965 increased the fee for each original motor vehicle operator's and each original commercial operator's license, with the provision that five dollars of each such fee collected be credited to the driver training fund established by RSA 262:1-a (initial plate fund) ; and

WHEREAS, chapter 339 of the Laws of 1965 required driver education as a condition to the right of certain minors to obtain motor vehicle operators' licenses and established a new driver education program in the secondary schools of the state; and

WHEREAS, the appropriations from the initial plate fund for the fiscal years ending June 30, 1966, and June 30, 1967, did not reflect the increased liability accruing to the state for the driver education program nor the increased revenue accruing to the credit of the initial plate fund; and

WHEREAS, the sum of one hundred twenty-seven thousand three hundred ninety-eight dollars in the initial plate fund therefore lapsed on June

30, 1966, to the highway fund, and an additional undetermined amount, unless otherwise appropriated, will lapse to the highway fund for the fiscal year ending June 30, 1967; and

WHEREAS, to meet existing commitments occasioned by the enactment and implementation of chapter 339 of the Laws of 1965, it is necessary that additional sums be appropriated from presently available but unappropriated initial plate funds for distribution throughout the educational system of the state of New Hampshire during the fiscal year ending June 30, 1967; now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one hundred five thousand one hundred dollars is hereby appropriated for the fiscal year ending June 30, 1967, to be expended by the division of motor vehicles of the department of safety for the reimbursement of the school districts of the state of New Hampshire to apply against the costs of the driver education program. The sum hereby appropriated shall be in addition to such other sums as may have been appropriated for the driver education program for the fiscal year ending June 30, 1967, and the sum shall be a charge upon the initial plate fund. [Approved February 20, 1967.]

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## CHAPTER 456.

### JOINT RESOLUTION PROVIDING SUPPLEMENTAL APPROPRIATION FOR SCHOOL BUILDING AID.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of five hundred sixty-four thousand nine hundred seventy dollars and twenty-seven cents is hereby appropriated for the fiscal year ending June 30, 1967, to be expended by the state board of education to meet the deficit in the appropriation for carrying out the provisions of RSA 198:15-a, annual grant for the payment of debt service for school construction. The governor is authorized to draw his warrant for the sum hereby appropriated out of money in the treasury not otherwise appropriated. [Approved February 20, 1967.]

**CHAPTER 457.****JOINT RESOLUTION RELATIVE TO POWER OF FRANCONIA COLLEGE TO GRANT CERTAIN DEGREES.**

WHEREAS, in accordance with the provision of Laws of 1965, chapter 453, the coordinating board of advanced education and accreditation has approved the renewal of the power of Franconia College to grant certain degrees, now therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**1 Franconia College.** Franconia College, a corporation organized under general law October 20, 1885, under the name of Dow Academy, is hereby authorized to confer upon the graduates thereof the associate in arts degree and the bachelor of arts degree for the period from June 1, 1967 through June 30, 1971.

**2 Extension of Authority.** The power to grant the above specified degrees shall expire on June 30, 1971. The coordinating board of advanced education and accreditation shall report to the general court concerning the progress of said college during the period of its degree-granting status and shall recommend action to be taken relative to said powers by the 1971 session of the general court.

**3 Effective Date.** This act shall take effect upon its passage.

[Approved February 27, 1967.]

[Effective date February 27, 1967.]

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**CHAPTER 458.****JOINT RESOLUTION APPROPRIATING THE FUNDS TO ESTABLISH AND FURNISH AN OFFICE FOR THE STATE'S PROMOTIONAL ACTIVITIES IN MONTREAL.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of fifteen thousand dollars is hereby appropriated to be expended by the division of economic development of the department of resources and economic development to pay the state's share for the completion of a state promotional office in Montreal, Canada including but not limited to mechanical and electrical work, architectural and engineering fees and necessary furnishings, carpeting, light fixtures and window displays. The division is authorized to use any funds available from its appropriation for the fiscal year ending June 30, 1967. In the event there are insufficient funds in said appropriation to defray this expense

then the governor is authorized to draw his warrant for the additional amount required from any money in the treasury not otherwise appropriated. No funds shall be expended under this appropriation without prior approval by the governor and council.

[Approved March 2, 1967.]

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## CHAPTER 459.

### JOINT RESOLUTION IN FAVOR OF SAMUEL B. RIPLEY.

WHEREAS, an unclaimed share in the estate of Charles A. Pettingale in the amount of four hundred thirteen dollars and eighty-three cents was transferred by the treasurer of the state of New Hampshire to the general funds of the state in accordance with the provisions of RSA 561; and

WHEREAS, under the provisions of RSA 561:12-b a person having rightful claim to said sum is required to make application to the legislature for payment; and

WHEREAS, Samuel B. Ripley, a resident of Birch Street of the Borough of Beachwood, Ocean County, New Jersey, has been awarded the said amount as his share of the estate of Charles A. Pettingale by decree of a court of probate held at Manchester, County of Hillsborough, N. H., dated October 18, 1966; now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT there is hereby appropriated the sum of four hundred thirteen dollars and eighty-three cents to be paid to Samuel B. Ripley of Birch Street, Borough of Beachwood, Ocean County, New Jersey, in full and final settlement for his share of the estate of Charles A. Pettingale. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved March 8, 1967.]

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## CHAPTER 460.

### JOINT RESOLUTION TO PAY SALARIES OF STAFF AT VOCATIONAL INSTITUTE AT BERLIN.

WHEREAS the 1965 General Court appropriated forty thousand dollars for salaries for the staff of the New Hampshire Vocational Institute

at Berlin, New Hampshire, it being uncertain at that time whether the institute would be ready for full operation by September, 1966, and

WHEREAS, if the institute were to open by September, 1966, more money would be needed to pay salaries for a staff of instructors and administrative personnel necessary to open the school, and

WHEREAS, the institute did open in September, 1966, and

WHEREAS, the governor and council approved a transfer of thirteen thousand, six hundred sixty-six dollars and ninety-four cents from current operating expenses at the Berlin Vocational Institute to pay salaries, and the governor and council made a grant from the operating budget contingency fund to the institute of fifteen thousand dollars for salaries, and

WHEREAS, the institute allocated twenty-two thousand dollars of the forty thousand dollars from its personnel budget to pay salaries of the staff to February 9, 1967, and

WHEREAS, the total sum necessary to pay the salaries from February 9, 1967 to June 30, 1967 is forty-four thousand four dollars and seven cents, with eighteen thousand dollars available from the institute budget to apply toward the amount needed, which leaves a balance of twenty-six thousand four dollars and seven cents needed to pay salaries from February 9, 1967 to June 30, 1967; therefor be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of twenty-six thousand four dollars and seven cents is appropriated to pay the salaries of the staff at the New Hampshire Vocational Institute at Berlin for the period from February 9, 1967 to June 30, 1967. The governor is authorized to draw his warrant for the appropriation out of any money in the treasury not otherwise appropriated.

[Approved March 8, 1967.]

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## CHAPTER 461.

### JOINT RESOLUTION PROVIDING SUPPLEMENTAL APPROPRIATION FOR THE SUPREME COURT.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of eight hundred dollars is hereby appropriated for the fiscal year ending June 30, 1967, to be expended by the supreme

court to meet the deficit in the appropriation for carrying out the functions of such court. The governor is authorized to draw his warrant for the sum hereby appropriated out of money in the treasury not otherwise appropriated.

[Approved March 10, 1967.]

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## CHAPTER 462.

### JOINT RESOLUTION IN FAVOR OF VERA J. MEEKER.

*Resolved by the Senate and House of Representatives in General Court convened:*

THE sum of seventy-five dollars is hereby appropriated to reimburse Vera J. Meeker (then residing in Florida) in full settlement for travel and hotel expenses incurred in coming to Concord at the request of the state board of nursing for a job interview on July 7, 1965. The sum hereby appropriated shall be a charge upon the excess revenue of the board of nursing education and nurse registration.

[Approved March 16, 1967.]

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## CHAPTER 463.

### JOINT RESOLUTION APPROPRIATING FUNDS FOR A SPECIAL PROMOTIONAL PROGRAM RELATIVE TO EXPO '67.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the following sums are hereby appropriated to be expended by the division of economic development of the department of resources and economic development for a special promotional program to benefit the economy of New Hampshire as much as possible in connection with the world fair in Montreal known as Expo '67. Three thousand dollars for establishing, staffing and operating an office in Montreal to continue no later than June 30, 1967 no part of which sum may be transferred to or used for any other purpose. Thirty-five thousand dollars, eighteen thousand of which may be expended only in the Province of Quebec, for the general purposes of this resolution including but not being limited to expenditures for: Preparing, reproducing and distributing or participating in any special promotional literature, signs, films, displays or promotions the division may deem advisable; personal services, including



guides for the U. S. Pavilion, and travel whether in-state or out of state; planning and executing a special New Hampshire day at Expo '67; and cooperating with other states, agencies or persons whether public or private for the general purposes of this resolution. The governor is authorized to draw his warrant for the sums hereby appropriated or so much as is necessary from any money in the treasury not otherwise appropriated, provided however that any balance remaining of said sums not expended or encumbered by November 1, 1967 shall then lapse.  
[Approved March 23, 1967.]

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#### CHAPTER 464.

JOINT RESOLUTION APPROPRIATING ADDITIONAL FUNDS FOR THE EVENING SCHOOL PROGRAM AT THE NEW HAMPSHIRE TECHNICAL INSTITUTE AT CONCORD AND THE NEW HAMPSHIRE VOCATIONAL-TECHNICAL INSTITUTES LOCATED AT BERLIN, MANCHESTER AND PORTSMOUTH.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT in addition to the sums appropriated for the evening school program at the New Hampshire technical institute at Concord and the New Hampshire vocational-technical institutes located at Berlin, Manchester and Portsmouth by chapter 282 of the Laws of 1965, there is hereby appropriated for the fiscal year ending June 30, 1967, for evening school purposes only, any actual revenues over the estimates of income from evening school programs appearing in chapter 282 of the Laws of 1965. The department of education, with the approval of the governor and council, may expend any such excess revenues hereby appropriated for evening school purposes only, provided however that there may not be expended at any of the above named institutions more than the excess revenue which has been there received.

[Approved March 23, 1967.]

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#### CHAPTER 465.

JOINT RESOLUTION MAKING APPROPRIATION FOR DEFICIENCY IN FUNDS FOR GRANTS TO COMMUNITY MENTAL HEALTH FACILITIES.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one hundred and fifty thousand dollars is hereby appropriated for the fiscal year ending June 30, 1967 to be expended by

the commissioner of health and welfare for state grants-in-aid under the provisions of RSA 126-B. This sum is in addition to any other sums appropriated for the same purposes. The sum appropriated shall be expended as follows:

Carroll County Community Service	\$ 3,895
Concord Mental Health Center	11,150
Lakes Region Mental Health Clinic	5,695
Manchester Association for Retarded Children	6,440
Manchester Community Guidance Center	17,130
Mary Hitchcock Memorial Hospital	25,620
Monadnock Area Family Service	6,515
Nashua Community Council	2,500
New Hampshire Children's Aid Society	12,290
North Country Community Services	11,680
Opportunity House	1,820
Portsmouth Mental Health Clinic	17,990
Strafford Guidance Center	15,595
Sullivan County Mental Health Clinic	2,935
White Mountain Community Services	8,745
	<hr/>
Total	\$150,000

The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.  
[Approved March 23, 1967.]

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## CHAPTER 466.

### JOINT RESOLUTION ESTABLISHING THE NEW HAMPSHIRE COMMISSION FOR PROFESSIONAL NURSING.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT a commission of seven members to be known as the New Hampshire Commission for Professional Nursing is hereby established, whose members shall be appointed by the Governor as follows: four members who shall be recommended one by the New Hampshire Hospital Association, one by the New Hampshire Medical Society, one by the New Hampshire League of Nurses, one who shall also be a member of the American Nurses Association by the New Hampshire Nurses Association, and three members from among citizens with a primary interest in nursing care. The commission shall be convened by the governor at which time a chairman and a clerk shall be elected from among its

members. Subsequent meetings shall be held at a time and place designated by the chairman. Members shall receive no compensation for their services but shall be reimbursed for expenses reasonably incurred by them in the performance of their duties. The commission shall study the supply of professional nurses throughout New Hampshire, the nurse salary structure, nursing facilities in the state, and nursing education generally with specific reference to hospital-controlled schools of nursing and the diploma schools of nursing. It shall be the purpose of the commission (a) to study the role of nursing education in the state and propose appropriate methods of financing such education in hospital associated schools: (b) to formulate policies leading to a solution of the problems presented by the shortage of professional nurses and the decreasing number of hospital-controlled schools of nursing in New Hampshire. The commission shall file a written report of its findings with the legislature within ninety days from the date of passage of this resolution. The sum of one thousand dollars is hereby appropriated for the expenses of this commission, such appropriation to remain available to pay expenses incurred by the commission until June 30, 1967 at which time any unencumbered balance shall lapse. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved April 5, 1967.]

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## CHAPTER 467.

### JOINT RESOLUTION PROVIDING REIMBURSEMENT TO MARGUERITE HASTINGS FOR EXPENSES INCURRED AS A STAFF MEMBER OF THE BOARD OF NURSING EDUCATION AND NURSE REGISTRATION.

WHEREAS, no provision was made in the 1965-1966 budget for out-of-state travel for the board of nursing education, and

WHEREAS, the executive secretary was requested by the board to attend the meeting of American Nurses Association and to represent New Hampshire at the annual state board conference, therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THE sum of \$389 is hereby appropriated to reimburse Marguerite Hastings for expenses incurred in out-of-state travel in conjunction with her position as executive secretary of the board of nursing education and nurse registration. The governor is authorized to draw his warrant for said sum out of money in the treasury not otherwise appropriated.

[Approved April 13, 1967.]

**CHAPTER 468.****JOINT RESOLUTION IN FAVOR OF HARRY L. HURLBERT.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of six hundred twenty-six dollars and eighteen cents for the fiscal year ending June 30, 1968 and a like sum for the fiscal year ending June 30, 1969 be and hereby are appropriated to provide funds for Harry L. Hurlbert in recognition of his having become disabled due to an accident occurring in 1947, while on active duty for the fish and game department, the resulting disability having become acute during the year 1955. The sums hereby appropriated shall be expended by the fish and game department to said former employee in such installments as it may determine and said sums shall be charges upon the fish and game fund.

[Approved April 13, 1967.]

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**CHAPTER 469.****JOINT RESOLUTION ESTABLISHING A SPECIAL COMMITTEE TO RECOMMEND A  
POLICY OF INSURANCE COVERAGE ON STATE PROPERTY.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THERE is hereby established a special committee to make a study of fire, business interruption, marine, casualty and catastrophe insurance for state property and to make a report, including its recommendations for a state policy of such insurance coverage. The committee shall be composed of the following members, a member of the tax commission, chosen by the commission, the insurance commissioner, a member of the staff of the New Hampshire Board of Underwriters and a resident licensed independent insurance agent, both appointed by the governor, the director of purchase and property who shall act as chairman, the state treasurer and one additional member appointed by the governor. Said committee shall submit its report to the legislature on, or before June 1, 1967, together with a draft of a bill for consideration.

[Approved April 13, 1967.]

**CHAPTER 470.**

JOINT RESOLUTION IN FAVOR OF ALBERT I. LARIVEE.

*Resolved by the Senate and House of Representatives in General Court convened:*

THE sum of one hundred dollars is hereby appropriated to pay Albert I. Larivee for bonus to which he was entitled as a veteran of World War I but which he did not receive. The Governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved April 13, 1967.]

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**CHAPTER 471.**JOINT RESOLUTION PROVIDING FOR AN ACCESS TO AND AN EXIT FROM  
INTERSTATE ROUTE 93 IN THE TOWN OF THORNTON.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the department of public works and highways is hereby directed to construct at a point or points, which in its opinion is best suited and most feasible, an exit from the northbound lane and an access to the southbound lane of interstate route 93, each within one-quarter of a mile northerly or southerly of the extension of the point where the so-called "Cross Road" in the town of Thornton meets route 3 at the same time that said interstate route is there constructed. These exits shall be a part of the interstate highway system, and their construction is contingent upon their approval by the Federal Bureau of Public Roads and its participation in the cost thereof.

[Approved April 20, 1967.]

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**CHAPTER 472.**

JOINT RESOLUTION IN FAVOR OF WILBUR J. LITTLE.

WHEREAS, on September 3, 1959, Wilbur J. Little of Colebrook while employed by the state of New Hampshire in the department of public works and highways, suffered serious injuries due to being struck by a motor vehicle negligently operated by a third party, said injuries resulting

in total disability until the 28th day of December, 1960, and in permanent partial disability, said injuries not having yet healed; and

WHEREAS, the governor and council have paid workmen's compensation to said Wilbur J. Little and have paid medical expenses totalling seven thousand four hundred forty-five dollars and fifty cents; and

WHEREAS, there is no further extension of state liability under the statutes; and

WHEREAS, said Wilbur J. Little while sufficiently recovered to assume his regular duties has suffered permanent injuries which require biannual visits to the Mary Hitchcock Clinic in Hanover and medical treatments there, now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the department of public works and highways is hereby authorized to reimburse said Wilbur J. Little for the expenses involved in said medical treatments at an annual cost not to exceed one hundred dollars, plus allowances for transportation involved between his home in Colebrook and the town of Hanover at current state mileage rates.  
[Approved May 8, 1967.]

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### CHAPTER 473.

#### JOINT RESOLUTION MAKING APPROPRIATION FOR BOARD OF NURSING EDUCATION AND NURSE REGISTRATION FOR OUT-OF-STATE TRAVEL.

WHEREAS, the annual educational forum in nursing and licensure procedures are resolved at conferences out of this state and

WHEREAS, it is in the best interests of nursing in this state that personnel attend such conferences now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THE sum of two hundred dollars is hereby appropriated to be expended by the board of nursing education and nurse registration for out-of-state travel in order to carry out the functions of said board. The governor is authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.  
[Approved May 9, 1967.]

**CHAPTER 474.****JOINT RESOLUTION PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE  
BOARD OF NURSING EDUCATION.**

*Resolved by the Senate and House of Representatives in General Court  
convened:*

THE sum of seven hundred and seventeen dollars is hereby appropriated to be expended by the board of nursing education and nurse education for purposes of RSA 326-A and particularly in connection with administration of the licensing law for practical nurses. The sum hereby appropriated shall be a charge upon funds collected under RSA 326-A.  
[Approved May 9, 1967.]

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**CHAPTER 475.****JOINT RESOLUTION MAKING APPROPRIATION FOR TEMPORARY EMPLOYMENT  
OF AN AVIATION ELECTRONIC TECHNICIAN.**

*Resolved by the Senate and House of Representatives in General Court  
convened:*

THAT the sum of two thousand nine hundred fifty-one dollars is hereby appropriated to be expended by the aeronautics commission for the employment of an electronic technician from December 30, 1966 through June 29, 1967. The governor is authorized to draw his warrant for said sum from any money in the treasury not otherwise appropriated, and said sum shall be in addition to any other appropriation made for the use of the aeronautics commission.  
[Approved May 19, 1967.]

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**CHAPTER 476.****JOINT RESOLUTION MAKING APPROPRIATION FOR CANCER COMMISSION.**

*Resolved by the Senate and House of Representatives in General Court  
convened:*

THE sum of thirteen thousand dollars is hereby appropriated for the fiscal year ending June 30, 1967 to be expended by the cancer commission for current expenses during the present fiscal year. This sum is in addition to any other sums appropriated for the same purposes. The governor is authorized to draw his warrant for said sum out of any money in the

treasury not otherwise appropriated.  
[Approved May 25, 1967.]

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### CHAPTER 477.

JOINT RESOLUTION IN FAVOR OF CROP PROTECTION INSTITUTE, INC.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one thousand two hundred and forty-nine dollars and four cents is hereby appropriated to reimburse Crop Protection Institute, Inc. for damages to its boiler and heating system caused by salt from winter maintenance of a state highway, to wit: Route 155 in Lee, New Hampshire. The sum hereby appropriated shall be a charge upon the highway funds and is a full and final payment of said claim. Payment for said sum shall be withheld until such time as the state shall receive a release from further financial responsibility for said boiler and water system.

[Approved May 25, 1967.]

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### CHAPTER 478.

JOINT RESOLUTION IN FAVOR OF NORTH CONWAY FIRE DEPARTMENT.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one hundred fifty-three dollars is hereby appropriated to be paid to North Conway fire department to compensate it for expenses incurred in effecting the rescue of Bruce Kumpf on Cathedral Ledge on July 26, 1966 and the rescue of George Wentworth on White Horse Ledge on August 3, 1966. Payment of said sum shall be in full and complete settlement of said claims and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved May 25, 1967.]



**CHAPTER 479.****JOINT RESOLUTION ELIMINATING THE PROHIBITION AGAINST TRANSFER OF  
CERTAIN APPROPRIATIONS OF THE DEPARTMENT OF SAFETY.**

*Resolved by the Senate and House of Representatives in General Court  
convened:*

THE footnote reading "This appropriation shall not be transferred or expended for any other purpose" to the appropriations for temporary help and rental of EDP equipment under the appropriation for the department of safety, other expenditures, conversion to EDP in section 1 of chapter 282 of the Laws of 1965 is hereby repealed.

[Approved June 2, 1967.]

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**CHAPTER 480.****JOINT RESOLUTION PROVIDING REIMBURSEMENT TO THE GREENFIELD  
SCHOOL DISTRICT FOR PAYMENT OF THE TUITION OF TWO  
RESIDENTS OF THE LACONIA STATE SCHOOL.**

WHEREAS, two children, George Hart and Raymond McLaren, attended Crotched Mountain school for the deaf during the school year 1964-65, and

WHEREAS, said two children were placed in a foster home in Greenfield for a three-week period ending on October 18, 1964 but were at all other times throughout the school year 1964-65 residents of the Laconia state school, and

WHEREAS, the Greenfield school district, under the erroneous belief that said two children resided in Greenfield, did pay tuition as required by RSA 186:45 for the school year 1964-65 in the amount of six hundred and twenty-two dollars, and

WHEREAS, the Greenfield school district has requested reimbursement from the Laconia state school without result to date, therefore be it

*Resolved by the Senate and House of Representatives in General Court  
convened:*

THAT the sum of six hundred and twenty-two dollars is hereby appropriated to reimburse the Greenfield school district for tuition paid for the school year 1964-65 on behalf of George Hart and Raymond McLaren. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved June 22, 1967.]

**CHAPTER 481.****JOINT RESOLUTION IN FAVOR OF FRANCIS W. TOLMAN ET AL.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THERE are hereby appropriated for the payment of salary for the week immediately preceding the convening of the 1967 general court the following sums to the herein listed persons: Francis W. Tolman, one hundred dollars, J. Milton Street, sixty dollars, Marion C. Colby, one hundred forty-one dollars, Dorothy M. Spear, eighty-one dollars, Forrest A. Bucklin, sixty-six dollars, Alice P. Pinkham, ninety-two dollars, Andrea L. Lyons, forty-four dollars, Helen B. Martin, fifty dollars, Lloyd E. Fogg, thirty-one dollars, J. Edward Silva, twenty-two dollars, Margaret L. MacPherson, sixty-six dollars, Randolph Milligan, eighteen dollars, Yvette L. Gosselin, forty-four dollars, and Ruth M. West, twenty-two dollars. Said sums appropriated shall be a charge against the legislative appropriation. [Approved June 22, 1967.]

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**CHAPTER 482.****JOINT RESOLUTION ESTABLISHING AN INTERIM COMMISSION TO STUDY THE LAWS OF EMINENT DOMAIN.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT a commission of seven members is hereby established to study the laws of the state pertaining to the acquisition of real property for public purposes by eminent domain. Said commission shall be composed of the chief justice of the superior court or his designate, the attorney general or his designate, a member of the house of representatives to be appointed by the speaker of the house, a member of the senate to be appointed by the president of the senate, and three residents of the state, one of whom shall be a professional appraiser, to be appointed by the governor with the advice of the council. Said commission shall make a careful study of the present laws relating to the acquisition of real property or rights therein by the state and by its political subdivisions through the process of eminent domain, and of the need or advisability of the revision of such laws or the enactment of further laws relating to said subject, for the protection of the interests of all interested parties. The commission shall have full power and authority to require from the several departments, agencies and officials of the state and of the political subdivisions of the state, such information and assistance as it may deem

necessary for the purposes hereof. Members of the commission shall serve without compensation for their services on the commission. The attorney general or his designate shall convene the commission which will elect its own chairman. The commission shall report its findings and recommendations, together with drafts of any proposed legislation necessary to carry out such recommendations, to the next regular session of the legislature, during the first week of said session.

[Approved June 22, 1967.]

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### CHAPTER 483.

#### JOINT RESOLUTION MAKING APPROPRIATION TO SUPPLY ELECTRIC SERVICE TO BEAR HILL AND SPRUCE POND CAMPS.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of sixteen thousand dollars is hereby appropriated to be expended by the division of parks in the department of resources and economic development to extend and provide for electric service and wiring to the buildings at the Bear Hill and Spruce Pond camps in the town of Allentown. Said sum may not be transferred to or used for any other purpose. The governor is authorized to draw his warrant for said sum from any money in the treasury not otherwise appropriated.

[Approved June 26, 1967.]

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### CHAPTER 484.

#### JOINT RESOLUTION IN FAVOR OF LETENDRE FUNERAL SERVICE, INC.

WHEREAS, an unclaimed share of the estate of John B. McGowan in the amount of thirty-two hundred dollars was transferred by the state treasurer to the general funds of the state in accordance with the provisions of RSA 561; and

WHEREAS, under the terms of Article I of the will of said John B. McGowan, the sum of two hundred dollars was bequeathed in trust for funeral and burial expenses of testator's son, Robert McGowan, and said sum was included in the thirty-two hundred dollars transferred to the general funds; and

WHEREAS, under the provisions of RSA 561:12-b a person having a rightful claim to all or a portion of a sum so transferred is required to make application to the legislature for payment; and

WHEREAS, Letendre Funeral Service, Inc. of 196 Manchester Street in the city of Manchester, county of Hillsborough, has been awarded said two hundred dollars for burial and funeral expenses of said Robert McGowan, deceased, by decree of a court of probate held at Manchester in said county on April 18, 1967; now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT there is hereby appropriated the sum of two hundred dollars to be paid to Letendre Funeral Service, Inc. of 196 Manchester Street in the city of Manchester and county of Hillsborough in full and final settlement of the claim for funds payable under the provisions of Article I of the will of John B. McGowan. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved June 27, 1967.]

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#### CHAPTER 485.

JOINT RESOLUTION APPROPRIATING FUNDS FOR PREPARATION OF THE VOTERS' GUIDE ON CONSTITUTIONAL QUESTIONS AT THE 1968 ELECTION.

*Resolved by the Senate and House of Representatives in General Court convened:*

THERE is hereby appropriated for the constitutional convention the sum of five thousand dollars to pay for the cost of printing and distributing the "Voters' Guide" authorized by the convention for the questions to be submitted at the biennial election of 1968. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved June 27, 1967.]

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#### CHAPTER 486.

JOINT RESOLUTION PROVIDING AN APPROPRIATION FOR THE DEVELOPMENT OF EAST-WEST SCHEDULED AIR SERVICE.

WHEREAS, on March 30, 1967 the Honorable Robert T. Murphy, Vice Chairman of the Civil Aeronautics Board announced that the board would institute an immediate investigation into the public convenience and necessity for east-west air service between the points of Portland,

Maine, points in New Hampshire and Vermont, Albany, Cleveland and Chicago, and

WHEREAS, east-west air service would provide for the first time a gateway from New Hampshire points to the west and would afford New Hampshire, Maine and Vermont an opportunity to develop the economy and industry of the entire region and coupled with the existing north and south service would enable New Hampshire passengers to be less dependent if not completely independent of traveling through the saturated gateway of Boston and New York, therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of twenty thousand, five hundred dollars is hereby appropriated to be used as needed by the aeronautics commission in preparing and presenting its case for east-west service before the Civil Aeronautics Board on behalf of the state; twenty thousand dollars to be available for professional fees and five hundred dollars for out-of-state travel. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated. The sum hereby appropriated shall in no case lapse prior to June 30, 1969 and no part of this appropriation shall be transferred or expended for any other purpose.  
[Approved June 27, 1967.]

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## CHAPTER 487.

### JOINT RESOLUTION PROVIDING FOR THE DISPOSITION OF FUNDS IN THE WHITE PINE BLISTER RUST ACCOUNT.

WHEREAS, there remains in the white pine blister rust account in the hands of the state treasurer the sum of three hundred forty dollars and eighty-seven cents, and

WHEREAS, it cannot now be ascertained which cities or towns contributed said sum or portions thereof, making it impossible to return the same to such contributors, now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the director of the division of resources development is hereby authorized to expend said sum of three hundred forty dollars and eighty-seven cents for field research relative to white pine blister rust in any part of the state. The governor is hereby authorized to draw his warrant upon said account for the purposes hereof.  
[Approved June 27, 1967.]

**CHAPTER 488.****JOINT RESOLUTION APPROPRIATING FUNDS FOR EMERGENCY REPAIRS AT  
THE FLUME.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of four thousand one hundred dollars is hereby appropriated to be expended by the division of parks for emergency repairs required in the interest of public health to the presently obsolete and inadequate sewerage disposal system in the Flume in Franconia Notch State Park. Said sum is in addition to any other moneys appropriated for the fiscal year ending June 30, 1967, for the use of the division of parks. The governor is hereby authorized to draw his warrant for the sums hereby appropriated out of any moneys in the treasury not otherwise appropriated.

[Approved June 30, 1967.]

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**CHAPTER 489.****JOINT RESOLUTION APPROPRIATING FUNDS FOR THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THE sum of three hundred dollars is hereby appropriated to be expended by the board of registration for professional engineers for personal services. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved July 3, 1967.]

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**CHAPTER 490.****JOINT RESOLUTION IN FAVOR OF RAYMOND J. ALBERT OF BERLIN.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of eight hundred fifty-two dollars is hereby appropriated to reimburse Raymond J. Albert of Berlin for bodily injuries sustained in the line of duty in an accident while serving on active duty as

a member of the New Hampshire National Guard at Camp Drum, New York, on or about August 11, 1966, and loss of pay and medical expenses resulting therefrom. Payment of said sum shall be in full and final settlement of said claim and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. [Approved July 3, 1967.]

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## CHAPTER 491.

### JOINT RESOLUTION TO REIMBURSE GOLDEN C. AND MARCIA DINGMAN FOR DAMAGE TO PROPERTY RESULTING FROM HIGHWAY CONSTRUCTION.

WHEREAS, in 1963, the department of public works and highways constructed a portion of route 110 through the town of Stark and, while so engaged, purchased the water supply of Golden C. and Marcia Dingman for the sum of eight hundred dollars, promising, as further consideration, to eliminate wet areas around the house and to provide adequate drainage from the Dingman's house lot, and

WHEREAS, during the winter of 1963-64, water from rain and melting snow and ice backed up and uprooted the septic tank and leaching field, damaging the foundation of the Dingman house and rendering it uninhabitable and uneconomical to repair, and

WHEREAS, as the result of inadequate drainage from the Dingman's house and lot and the consequent damage to the foundation of the house, it became necessary for the Dingmans to rent other quarters during the winter of 1963-64 and to construct a new home on a higher location on their same lot in 1964, thereby causing them serious financial damage, now, therefore, be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one thousand five hundred dollars is hereby appropriated to reimburse Golden C. and Marcia Dingman for damage suffered to their house by failure of the department of public works and highways to provide adequate drainage from the Dingman house lot. The sum hereby appropriated is in full payment and settlement of the claim against the state and shall be a charge upon the highway funds. [Approved July 3, 1967.]

**CHAPTER 492.****JOINT RESOLUTION IN FAVOR OF LAWRENCE E. PHILBROOK.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of fifty dollars is hereby appropriated to be paid to Lawrence E. Philbrook, town clerk of Shelburne, for services to unincorporated places during the 1966 biennial election at the direction of the secretary of state. The governor is authorized to draw his warrant for the sum hereby appropriated from any money in the treasury not otherwise appropriated.

[Approved July 3, 1967.]

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**CHAPTER 493.****JOINT RESOLUTION IN FAVOR OF HARRISON M. HEATH OF LANDAFF.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of one thousand four hundred sixty-four dollars and twenty-six cents is hereby appropriated to reimburse Harrison M. Heath of Landaff, in full and final settlement, for losses sustained due to erroneous calibration of a bulk milk tank by authorized agents of the state of New Hampshire. The governor is authorized to draw his warrant for the sum hereinabove appropriated out of any money in the treasury not otherwise appropriated.

[Approved July 3, 1967.]

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**CHAPTER 494.****JOINT RESOLUTION IN FAVOR OF THE ESTATE OF STANLEY R. RICH.**

WHEREAS, on October 31, 1963 the decedent, Stanley R. Rich, aged eighteen years, was an inmate in the industrial school, and

WHEREAS, on said date Stanley R. Rich was repairing a vehicle of the industrial school in a grease pit at the school garage, and

WHEREAS, an electric work light extension caused a spark which ignited grease and gasoline fumes and the resulting explosion burned the said Stanley R. Rich causing his death, therefore be it



*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of two thousand dollars is hereby appropriated to be paid to the estate of Stanley R. Rich of Peterborough for his untimely and tragic death. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved July 3, 1967.]

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## CHAPTER 495.

### JOINT RESOLUTION TO MAKE AN APPROPRIATION FOR ADDITIONAL FUNDS FOR BUILDING A BOYS COTTAGE AT THE INDUSTRIAL SCHOOL.

WHEREAS, paragraph IV of 1965, 281:1, the capital budget act of 1965, appropriated \$267,000 for the construction of a boys cottage at the industrial school, and

WHEREAS, the bids for the construction of the cottage were more than the sum appropriated, and there are no items in the plans and specifications for the building which can be taken out to reduce the cost of the building, and

WHEREAS, the nature of the bids was such that the amounts listed in the line items in the capital budget cannot be changed with any certainty of accuracy, and

WHEREAS, the best estimate of the additional money now needed to complete the boys cottage is seventy-five thousand dollars, therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THE sum of seventy-five thousand dollars is appropriated to be added to the capital budget expenditure of \$267,000 of paragraph IV of 1965, 281:1, to be used for the planning, furnishing and equipping, site development, and construction of a cottage containing facilities for thirty boys and the house parents at the industrial school. To provide funds for the purposes of this act, the state treasurer is hereby authorized to borrow upon the credit of the state in a sum not exceeding seventy-five thousand dollars and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

[Approved July 3, 1967.]

**CHAPTER 496.****JOINT RESOLUTION TO IMPROVE CERTAIN STATE-OWNED LAND IN THE TOWN OF GILSUM.**

WHEREAS, the state acquired title on November 21, 1929, to a certain tract of land in the town of Gilsum, known as Pot Holes and Bear's Den; and

WHEREAS, the said tract contains unique natural features, the preservation and public enjoyment of which form the justifying basis for state ownership; and

WHEREAS, the said tract has become overgrown with vegetation and forest litter, thereby obscuring the area's natural phenomena and lessening public enjoyment of the same; now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THE sum of five hundred dollars shall be expended by the division of parks, department of resources and economic development, in fiscal 1968, from funds appropriated in their budget for major repairs, for improvements upon that certain tract of state-owned land in the town of Gilsum, known as Pot Holes and Bear's Den, as follows: (1) improving the access trail to the natural features on said tract, (2) improving the woodlands in the vicinity of said access trail and said natural features, (3) cleaning out the obscured glacial pot holes and ledge formations on said tract, and (4) installing interpretive signs and doing such other work as the division of parks determines will enhance the natural beauty and increase the public enjoyment of said tract.

[Approved July 3, 1967.]

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**CHAPTER 497.****JOINT RESOLUTION TO CREATE A COMMITTEE TO STUDY THE CREATION OF A RETIREMENT SYSTEM FOR THE HILLSBOROUGH COUNTY EMPLOYEES.**

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT a committee is established consisting of five members of the executive committee of the Hillsborough county delegation, appointed by the chairman of the delegation, and the county commissioners of said county to study the creation of a retirement system for Hillsborough county employees. Said special committee shall report its findings to the delegation.

[Approved July 3, 1967.]

**CHAPTER 498.**

## JOINT RESOLUTION IN FAVOR OF GEORGE W. LAROCQUE.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of five hundred dollars is hereby appropriated to reimburse George W. LaRocque of Berlin for damages sustained by him as a result of his well becoming contaminated by the seepage of salt draining into said well from an abutting highway, to wit, Route 110, which had been treated with salt in connection with snow removal operations by the highway department. The sum hereby appropriated shall be a charge on the highway funds and shall be a complete and final settlement.  
[Approved July 3, 1967.]

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**CHAPTER 499.**JOINT RESOLUTION RELATIVE TO PAYMENT FOR ECONOMIC LOSS CAUSED BY  
THE TAKING OF PROPERTY OR LOSS OF BUSINESS UNDER THE  
MERRIMACK RIVER FLOOD CONTROL COMPACT.

WHEREAS, certain persons sustained economic losses or damages on account of the Merrimack River Flood Control Compact, and

WHEREAS, the amount of said losses and damages were assessed by the Merrimack River Flood Control Commission, and

WHEREAS, the Commonwealth of Massachusetts paid certain sums on account of said losses which sums were distributed by the state of New Hampshire under the provisions of chapter 131, Laws of 1959, and

WHEREAS, the persons entitled to reimbursement received only seventy-three percent of said losses, therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of thirty-two thousand dollars is hereby appropriated to reimburse the following persons and corporations for economic losses and damages sustained on account of the Merrimack River Flood Control Compact: Mrs. Roland Sadler, Mrs. Anne Buxton, Weare School District, Colburn Brothers Grocery Store, Mrs. Charlotte Rose, George Nichols, Norman C. Parmenter, Clarence W. Edmunds, Charles E. Damour, Town of Hopkinton, William Heino, Elmer Heino, Kenneth Wenzel, Channing Connor, William Colby, Ernest Billadeau, Wendell Colburn, Duaine E. Patenaude, Richard Labnon, Cogswell Spring Water Works, Fred Brunn-

hoelzl, Philip Buxton, Marshall Rowe, Wayne Holmes, Robert Sterling, Arthur A. Kendricks, Frank Goss, Karl Upton, J. Albert Norton, Jr. The sums appropriated shall be distributed by the state treasurer on the basis of figures recommended by the Merrimack River Flood Control Commission. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved July 7, 1967.]

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## CHAPTER 500.

### JOINT RESOLUTION IN FAVOR OF RICHARD H. GRAY.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of seven hundred fifty dollars is hereby appropriated to reimburse Richard H. Gray of Lyme for charges he incurred in drilling a well to replace his water supply which was polluted by salt from winter maintenance of a state road. The sum hereby appropriated shall be a charge upon the highway funds. The department of public works is hereby authorized to provide Mr. Gray with a pure water supply immediately. The sum hereby appropriated and the action authorized shall constitute full settlement of this claim.

[Approved July 7, 1967.]

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## CHAPTER 501.

### JOINT RESOLUTION RELATIVE TO THE SPECIAL COMMITTEE TO STUDY INSURANCE COVERAGE ON STATE PROPERTY.

*Resolved by the Senate and House of Representatives in General Court convened:*

THE special committee established under the provisions of a joint resolution approved April 13, 1967, to recommend a policy of insurance coverage on state property shall be continued in office with the addition of two members, one to be appointed by the speaker of the house of representatives and the other appointed by the president of the senate. Said committee shall continue its study of insurance on state property and shall report to the legislature on or before January 1, 1969 including its recommendations for legislation setting forth a state policy for such insurance.

Recommendations for such legislation shall be submitted to the office of legislative services by October 1, 1968. The members of said committee who are not state officials or employees shall be reimbursed for their necessary mileage and expenses, said sums being a charge upon the legislative appropriation but the total thereof shall not exceed the sum of five hundred dollars.

[Approved July 7, 1967.]

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### CHAPTER 502.

#### JOINT RESOLUTION APPROPRIATING FUNDS FOR PAYMENT TO THE TOWNS OF PITTSBURG AND CLARKSVILLE IN LIEU OF TAXES ON FRANCIS DAM.

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of twelve thousand five hundred dollars is hereby appropriated for the fiscal year ending June 30, 1968 for payment in lieu of taxes to the towns of Pittsburg and Clarksville, said sums to be apportioned between said towns in the manner provided in RSA 481:14 (supp) as amended by 1955, 327:1 and RSA 481:14-a (supp) as inserted by 1957, 294:1. The governor is authorized to draw his warrant for the sums hereby appropriated from any money in the treasury not otherwise appropriated.

[Approved July 7, 1967.]

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### CHAPTER 503.

#### JOINT RESOLUTION IN FAVOR OF ARTHUR W. NAPERT.

*Resolved by the Senate and House of Representatives in General Court convened:*

THE sum of three thousand dollars is hereby appropriated to be paid to Arthur W. Napert of Berlin for damages sustained by him March 20, 1966, due to collapse of a bridge in Milan on which he was traveling. The sum hereby appropriated shall be in full payment for said claim and shall be a charge upon the highway funds.

[Approved July 7, 1967.]

**CHAPTER 504.****JOINT RESOLUTION TO ESTABLISH A NURSING EDUCATION AID PROGRAM.**

WHEREAS, the report of the commission for professional nursing to the New Hampshire state legislature established by 1967 House Joint Resolution No. 45 has reported its finding and recommendations to the legislature by a report dated June 14, 1967, and

WHEREAS, the committee found that the shortage of nursing personnel within the state is real and should be considered crucial at the present time, and that unless immediate steps are taken, this crucial situation will intensify, and

WHEREAS, the committee found that one basic factor causing the shortage is an inadequate number of educational facilities in the state caused by the closing of hospital nursing schools due to mounting operational costs, and

WHEREAS, the committee recommended that the legislature appropriate sufficient funds to subsidize hospital diploma schools of nursing in the state for the operational expense of hospital schools to the extent of one-half of the operational expense per full time student or of six hundred dollars per full time student whichever is the lesser amount in each year, and extending the grants over each newly admitted class, now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THE sum of one hundred thousand dollars is appropriated for the fiscal year ending June 30, 1968 and the same amount is appropriated for the fiscal year ending June 30, 1969 to subsidize hospital diploma schools of nursing in the state for the education of persons who are studying to be professional nurses. This appropriation is to be spent by the department of education to make money available for the operational expenses of hospital diploma schools in the state for all full time students newly admitted to the school starting in the fall terms of 1967 and 1968. Each diploma hospital school of nursing in the state is entitled to a grant of half of the operational expense per year per full time student educated exclusive of income from tuition, or the sum of six hundred dollars, which ever is the lesser amount, for each newly admitted full time student that enters the school in the fall term of 1967, and the same amount for each newly admitted full time student that enters the school in the fall term of 1968. The school shall make application to the commissioner of education for grants authorized by this act, on the basis of the number of newly admitted first year full time students who actually commence their course of study in the school in the fall term of the year for which the appropriation is made. The commissioner of education shall estab-

lish procedures to verify the applications from the schools. When the commissioner is satisfied as to the correct number of students for which the school is entitled to receive grants, he shall certify to the state treasurer as to the amount of money the school is entitled to receive and shall order its payment. The state treasurer shall pay the grants to the schools on the order of the commissioner. The governor is authorized to draw his warrant for the money appropriated by this act out of any money not otherwise appropriated.

[Approved July 7, 1967.]

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### CHAPTER 505.

JOINT RESOLUTION RELATIVE TO THE OPERATING EXPENSES OF EDUCATIONAL TELEVISION STATION, WENH-TV AND STATE EDUCATIONAL TELEVISION NETWORK SATELLITE STATIONS IN KEENE, HANOVER, LITTLETON, AND BERLIN.

WHEREAS, WENH-TV is an educational television station operated and maintained to provide an educational service to the schools and educational institutions of the state and to the general public through a broad adult educational and information program service, and

WHEREAS, since June 1959, WENH-TV has operated in conformance with the Federal Communications rules and regulations and has maintained an outstanding program service for the majority of the citizens and schools of the state with advice, counsel and partial support of the New Hampshire Educational Broadcasting Council, Inc., now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

THAT the sum of two hundred and thirty thousand dollars is hereby appropriated for the period beginning with the passage of this joint resolution and ending June 30, 1968, and two hundred thirty thousand dollars for the fiscal year ending June 30, 1969 for the purpose of contributing to the operating expenses of educational television station WENH-TV, Channel 11, Durham and the state educational network satellite stations, Channel 15, Hanover, Channel 40, Berlin, Channel 49, Littleton and Channel 52, Keene, operated by the University of New Hampshire with the advice and counsel of the New Hampshire Educational Broadcasting Council, Inc. The sums hereby appropriated shall be expended for the operation of WENH-TV and the state network stations through the New Hampshire College of Agriculture and the Mechanic Arts and the University of New Hampshire. The governor is authorized to draw his war-

rants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

[Approved July 7, 1967.]

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## CHAPTER 506.

### JOINT RESOLUTION TO ESTABLISH AN INTERIM COMMITTEE TO STUDY UNIFORM TRAFFIC ORDINANCES FOR MUNICIPALITIES, REGULATION OF SO-CALLED SNOW TRAVELING VEHICLES AND THE FEDERAL HIGHWAY SAFETY ACT OF 1966.

A special interim study committee is hereby established to study the uniform so-called model traffic ordinance for municipalities and to prepare legislation to be presented at the next session of the general court. The committee shall consist of three members of the senate to be appointed by the president, four members of the house to be appointed by the speaker, the commissioner of safety, the commissioner of public works and highways, and four citizens at large, representing organized groups of motor vehicle owners and industries associated with highway transportation, to be appointed by the governor. Said committee shall also continue a study of the uniform motor vehicle code to modernize our motor vehicle laws. In addition to other duties the committee shall study the problems arising from the use of so-called snow traveling vehicles and shall recommend legislative solutions for these problems where appropriate. The committee shall study the federal Highway Safety Act of 1966 (PL 89-564). The members of the committee who are members of the general court shall be reimbursed for their mileage at the same rate as state employees and expenses when engaged in their duties hereunder and such payments shall be a charge on the department of safety appropriation.

[Approved July 7, 1967.]



## PRIVATE ACTS

### CHAPTER 507.

#### AN ACT CHANGING THE NAME OF THE TOWN OF WATERVILLE TO WATERVILLE VALLEY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**507:1 Change of Name.** The area of land incorporated as the town of Waterville by Laws 1829 chapter 33, as amended by an act approved July 16, 1864, shall hereafter be known as the town of Waterville Valley. The change of name shall not affect elected or appointive officials or employees who shall continue in office as elected or appointive officials and employees of the town of Waterville Valley, until their successors are elected or appointed. All obligations heretofore incurred by the town of Waterville shall be deemed to be obligations of the town of Waterville Valley. This act is to be interpreted as changing the name of the town of Waterville only and shall not affect other acts of said town.

**507:2 Referendum.** The warrant for the 1967 annual meeting of the town of Waterville shall include an article substantially as follows: "To see if the voters of the town of Waterville will vote to adopt the provisions of An Act changing the name of the town of Waterville to Waterville Valley, as enacted by the 1967 session of the legislature." The vote on said question shall be by ballot and if a majority of those present and voting on the question vote in the affirmative this act shall be declared adopted by the town. Within ten days after said meeting, the town clerk shall certify to the secretary of state the result of the vote on the question.

**507:3 Effective Date.** In so far as the referendum provided for by section 2 is concerned said section shall take effect upon its passage. Section 1 of this act shall take effect upon its adoption by the voters of the town of Waterville as provided hereunder.

[Approved February 1, 1967.]

[Effective date as specified.]

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### CHAPTER 508.

#### AN ACT RELATIVE TO POWER OF HESSER BUSINESS COLLEGE TO GRANT CERTAIN DEGREES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**508:1 Authority Granted.** The Hesser Business College, conducted by Hesser, Inc., an educational institution is hereby authorized to confer

upon the graduates therefrom the degree of associate in business science for the period from July 1, 1968 to June 30, 1969 provided that it receives the approval of the coordinating board of advanced education and accreditation.

**508:2 Effective Date.** This act shall take effect upon its passage.

[Approved February 1, 1967.]

[Effective date February 1, 1967.]

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## CHAPTER 509.

### AN ACT INCREASING THE AUTHORIZED DEBT LIMIT OF HANOVER SCHOOL DISTRICT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**509:1 Debt Limit Increased.** Notwithstanding the provisions of RSA 33:4-a and the Laws of 1961:116 the Hanover School District may incur net indebtedness to an amount at any one time outstanding not exceeding nine (9) per cent of its valuation determined as provided by RSA 33:4-b.

**509:2 Effective Date.** This act shall take effect upon its passage.

[Approved February 9, 1967.]

[Effective date February 9, 1967.]

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## CHAPTER 510.

### AN ACT RELATING TO THE HILLSBORO-DEERING COOPERATIVE SCHOOL DISTRICT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**510:1 New Cooperative.** The Hillsborough-Deering Cooperative School District is hereby authorized and empowered to form a new cooperative school district with one or more other school districts pursuant to the provisions of RSA 195:18 and it may continue to function as a single pre-existing school district or to dissolve itself and participate as two separate pre-existing school districts upon the formation of such new cooperative school district. The articles executed for the purpose of forming such new cooperative school district shall specifically provide whether

Hillsboro-Deering Cooperative School District shall participate in the new cooperative school district as a single district or resume the identity of two separate school districts as existing prior to their union; and such articles shall be submitted to the voters of Hillsboro-Deering Cooperative School District, as a single district, for approval or rejection as provided by RSA 195:18. If such articles provide for participation as two separate pre-existing school districts and if such articles are adopted resulting in the formation of a new cooperative school district, the Hillsboro-Deering Cooperative School District shall be dissolved effective on the date of operating responsibility of the new cooperative school district.

**510:2 Building Aid.** If Hillsboro-Deering Cooperative School District becomes part of a new cooperative school district as provided in section 1, participating as a single pre-existing school district, nevertheless, the articles of agreement may provide that all state aid thereafter payable on account thereof shall be calculated as if Hillsboro and Deering were two separate pre-existing school districts.

**510:3 Referendum.** This act shall not take effect unless it is adopted by a majority vote at a regular or special meeting of the Hillsboro-Deering Cooperative School District as hereinafter provided. The warrant for said meeting shall contain an article relative to the approval of this act and the school district clerk shall prepare a special ballot on which shall be the following question: "Shall the provisions of an act relating to the Hillsboro-Deering Cooperative School District" enacted at the 1967 session of the legislature be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. If a majority of voters present and voting on the question at said meeting shall vote in the affirmative, this act shall be declared to have been adopted. Within ten days after said meeting the school district clerk shall certify to the secretary of state the result of the vote on the question.

**510:4 Effective Date.** The provisions of section 3 relative to a referendum shall take effect upon the passage of this act and if the act shall be adopted in said referendum the remainder of this act shall take effect upon said adoption.

[Approved February 9, 1967.]

[Effective as specified.]

**CHAPTER 511.**

AN ACT RELATIVE TO POWER OF NEW ENGLAND AERONAUTICAL INSTITUTE  
TO GRANT CERTAIN DEGREES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**511:1 Authority Granted.** The New England Aeronautical Institute is hereby authorized to confer upon the graduates therefrom the degrees of associate in aeronautical engineering technology and associate in aeronautical administration from June 1, 1967 through June 30, 1969.

**511:2 Extension of Authority.** The authority of New England Aeronautical Institute to grant the above specified degrees shall be continued by an act of the general court if the coordinating board of advanced education and accreditation shall formally recommend said institute for such continuation.

**511:3 Effective Date.** This act shall take effect upon its passage.  
[Approved February 16, 1967.]  
[Effective date February 16, 1967.]

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**CHAPTER 512.**

AN ACT TO RECLASSIFY A CLASS II HIGHWAY IN THE TOWN OF PLAINFIELD  
TO A CLASS V HIGHWAY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**512:1 Class II Highway in Plainfield.** After the effective date of this act, the 0.27 miles of class II highway in the town of Plainfield, known as the Lower River Road, beginning at route N. H. 12A and running southwesterly to the class V highway section of the Lower River Road, is classified as a class V highway.

**512:2 Effective Date.** This act shall take effect sixty days after its passage.  
[Approved February 23, 1967.]  
[Effective date April 24, 1967.]

**CHAPTER 513.**

AN ACT TO RECLASSIFY A CLASS II HIGHWAY IN THE TOWN OF DORCHESTER  
TO A CLASS V HIGHWAY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**513:1 Class II Highway in Dorchester.** After the effective date of this act, the 0.19 miles of class II highway in the town of Dorchester known as the North Dorchester Road, beginning 0.99 miles southerly of the Wentworth-Dorchester town line and running southerly 0.19 miles, is classified as a class V highway.

**513:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved February 23, 1967.]

[Effective date April 24, 1967.]

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**CHAPTER 514.**

AN ACT AUTHORIZING THE TOWN OF HUDSON TO APPROPRIATE THE SUM OF  
TWO HUNDRED THOUSAND DOLLARS FOR THE CONSTRUCTION  
OF A NEW TAYLORS FALLS BRIDGE.

WHEREAS, there is urgent need for a new bridge across the Merrimack River between Nashua and Hudson in close proximity to the present Taylors Falls bridge, and

WHEREAS, this need is amply supported by a transportation study made in 1960 by the consulting firm of Bruce Campbell Associates of Boston, Mass., and

WHEREAS, in the succeeding six years cross river traffic has increased at an even greater rate than that forecast by the transportation study, and

WHEREAS, further traffic studies made by the state highway department show traffic crossing at the present two-lane Taylors Falls bridge built in 1910 to be in excess of 30,000 vehicles on some days, and

WHEREAS, the city of Nashua and the board of aldermen have authorized a bond issue in the amount of six hundred thousand dollars with which to defray Nashua's share of the cost of a new bridge and approaches located just north of the present Taylors Falls bridge, and

WHEREAS, for the past six years the department's staff has studied numerous possible bridge locations in this area and has explored them in a series of local meetings with local officials of both communities, and

WHEREAS, a facility of the type required is eligible for fifty per cent federal-aid financing which financing provides the department of public works and highways with its only available means for contributing toward the required facility, and

WHEREAS, preliminary estimates indicate the cost of the facility to be in the vicinity of one million, six hundred thousand dollars, and

WHEREAS, the state of New Hampshire has already expended forty-five thousand dollars for the Bruce Campbell transportation study at legislative direction and in addition has made studies of bridge locations which have cost in excess of ninety-five hundred dollars, and

WHEREAS, for long range planning purposes, the department of public works and highways is at the present time making a study to determine the optimum location of a circumferential highway beginning near the terminus of the present Burque Drive so-called and crossing the Merrimack River into Hudson at a point directly opposite the terminus of Burque Drive, thence proceeding easterly and southerly around Hudson Center to a terminus with Route 3 on the westerly side of the Merrimack River in the general vicinity of the new state liquor store, and

WHEREAS, at such time in the future as funds may be made available to construct such a long range highway, the department of public works and highways is agreeable to initiating the first stage of this facility at the southerly terminus,

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

514:1 **Authorization.** The town of Hudson is authorized to appropriate a sum not to exceed two hundred thousand dollars for the purpose of paying the town's share of the expense of constructing a bridge, with suitable approaches, including the cost of engineering and site acquisition, to be located in very close proximity to the north of the existing Taylors Falls bridge, and to extend across the Merrimack river, notwithstanding the provisions of RSA 32, RSA 33:4-a (c), and RSA 33:8. General obligation serial bonds or notes of the town of Hudson aggregating not more than two hundred thousand dollars in principal amount to finance the construction of said bridge may be issued by said town under and pursuant to the municipal finance act. The selectmen are authorized to issue and sell said bonds or notes in the name of and on the credit of the town, to determine the rate of interest thereon, the time and place of payment thereof, and to take such other action as may be necessary to effect the issuance, negotiation and sale of such notes or bonds as shall be in the best interest of the town. The authorization herein conferred is conditioned upon the said town obtaining an agreement, prior to the issuance of any bonds or notes, from the New Hampshire department of public

works and highways and the city of Nashua, to construct the southerly belt line bridge after the completion of said new Taylor Falls bridge with its approaches.

**514:2 Referendum.** The appropriation authorized as provided in section 1, shall not take effect unless it is adopted by majority vote at the town meeting on March 14, 1967, as provided in this section. The town clerk then in office shall cause to be placed at the bottom of the regular election ballot for town officers the following question: Are you, as a voter of the town of Hudson, in favor of appropriating the sum of two hundred thousand dollars and no more for the construction of a new Taylors Falls bridge, to be located in very close proximity to the north of the existing Taylors Falls bridge, as authorized by the provisions of an act enacted by the 1967 session of the legislature? When submitting this question to the voters of the town of Hudson, the form of the ballot shall be as prescribed by RSA 59:12-a. If a majority of those voting on this question at said election vote in the affirmative on the question, this act shall be declared to have been adopted by the town and the authorized appropriation made. Within ten days after said meeting, the town clerk shall certify to the secretary of state the result of the vote on the question.

**514:3 Limitation.** In the event that the results of the referendum of section 2 hereof is in the affirmative, neither the town of Hudson nor the city of Nashua shall be required to finance the new bridge and approaches at Taylors Falls at a cost greater than two hundred thousand dollars and six hundred thousand dollars respectively, notwithstanding the provisions to the contrary contained in RSA 231:7.

**514:4 Layout and Acquisition of Property.** In order to conform to requirements of the bureau of public roads for federal-aid projects, the layout and acquisition of property shall be in accordance with the provisions of RSA 233.

**514:5 Effective Date.** Section 2 of this act shall take effect upon its passage. Sections 1, 3 and 4 shall take effect when and if the provisions of this act are adopted by the voters of the town of Hudson on March 14, 1967, in accordance with the provisions of section 2.

[Approved February 27, 1967.]

[Effective date:

Section 2 effective February 27, 1967

Remainder of Act effective as specified.]

**CHAPTER 515.**

AN ACT AUTHORIZING THE CITY OF DOVER TO APPROPRIATE FUNDS FOR  
AMERICAN LEGION CONVENTION, 1967.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**515:1 City of Dover.** Notwithstanding the provisions of paragraph XXXI of RSA 31:4 the city of Dover is hereby authorized to appropriate a sum not exceeding two thousand five hundred dollars toward the expenses of the annual state convention of the American Legion to be held in said city in 1967.

**515:2 Effective Date.** This act shall take effect upon its passage.  
[Approved March 2, 1967.]  
[Effective date March 2, 1967.]

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**CHAPTER 516.**

AN ACT RELATING TO MERRIMACK VALLEY SCHOOL DISTRICT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**516:1 Supervisors of Checklist.** Merrimack Valley School District is authorized and empowered to adopt the provisions of paragraph III of RSA 195:4 providing for the employment of town and ward supervisors of the checklist of the towns and ward in which the pre-existing school districts are located notwithstanding the fact that the territories hereof are not in all respects co-extensive. Adoption shall be in the manner provided in said paragraph III, and thereafter Merrimack Valley School District shall be entitled to all the privileges and powers and subject to all the obligations of said paragraph III relating to employment of such supervisors and preparation and use of checklists.

**516:2 Effective Date.** This act shall take effect upon its adoption at any duly warned, annual or special meeting of Merrimack Valley School District.  
[Approved March 2, 1967.]  
[Effective as specified.]



**CHAPTER 517.**

## AN ACT RELATIVE TO R. AND R. DEVELOPMENT CORP.

WHEREAS, by chapter 482, Laws of 1965, the charter of R. and R. Development Corp. was included in the list of charters to be dissolved for failure to pay fees, and

WHEREAS, the name of said corporation was included in said chapter by error since all fees were paid in full June 15, 1965, which date was prior to the passage of said chapter 482, now therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**517:1 Correction of Error.** The name of the corporation R. and R. Development Corp. is hereby eliminated from 1965, 482 and the charter of said corporation shall be deemed to have been in full force and effect notwithstanding the provisions of said chapter 482.

**517:2 Effective Date.** This act shall take effect upon its passage.

[Approved March 8, 1967.]

[Effective date March 8, 1967.]

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**CHAPTER 518.**

## AN ACT RELATING TO THE TRUSTEES OF DARTMOUTH COLLEGE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**518:1 Dartmouth College Trustees.** Amend section 1 of chapter 43 of the Laws of 1893, as amended by chapter 245 of the Laws of 1921 and chapter 320 of the Laws of 1961 by striking out said section and inserting in place thereof the following: Section 1. The trustees of Dartmouth College may hold a legal meeting at any time, upon such notice as may be prescribed by a rule adopted by them, and, in filling vacancies in the board, may elect persons who are either resident or not resident in New Hampshire.

**518:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved March 9, 1967.]

[Effective date May 8, 1967.]

**CHAPTER 519.****AN ACT TO INCORPORATE THE MERIDEN WATER COMPANY.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**519:1 Incorporation.** The existing joint stock association known as Meriden Water Company is hereby made a body corporate by the name of Meriden Water Company and, as such corporation, shall have the power to make suitable by-laws and rules, consistent with the general laws of the state, and elect such officers as it deems desirable to effect its corporate purposes, be possessed of all the powers, privileges and immunities conferred on business corporations by RSA 294 as presently enacted or hereafter amended, and shall be deemed to have been organized under the provisions of said chapter. It shall be subject to the public utility laws of the state pertaining to water utilities.

**519:2 Principal Place of Business.** The principal place of business of this corporation shall be located in Plainfield in the county of Sullivan in the State of New Hampshire, which has been the principal place of business of the existing joint stock association.

**519:3 Purposes and General Powers.** The purposes of the corporation shall continue to be those of the existing joint stock association, namely: To conduct a business as a public utility in the supply of water for domestic and fire protection purposes in those parts of the county of Sullivan covered by the existing franchises of such joint stock association, as may be now or hereafter changed pursuant to the public utility laws of the state. In addition to the powers and privileges and subject to all the duties and restrictions of the public utility laws of the state pertaining to water utilities, the corporation may have and exercise all the powers and privileges, and shall be subject to all the duties and liabilities, of a corporation created pursuant to RSA 294.

**519:4 Capital Stock.** The capital stock of this corporation shall consist of the capital stock of the existing joint stock association, namely, 76 shares of common stock having a par value of \$50.00 per share, which shall have the exclusive right to vote except as otherwise provided by law, and 265 shares of preferred stock having a par value of \$50.00 per share, which shall have no vote except as otherwise provided by law, but which shall have preference over the common stock in liquidation, and as to dividends to the extent of 6% per annum, non-cumulative. The holders of the capital stock of the existing joint stock association are hereby confirmed as the stockholders of this corporation, subject to the provisions of section 8 hereof relating to rights of dissenting stockholders.

**519:5 Existing Organization.** The present by-laws and present slate of officers and directors of the existing joint stock association shall con-

tinue in effect as those of this corporation, until changed as provided by law and the by-laws.

**519:6 Articles of Agreement.** This act shall be deemed the articles of agreement of this corporation for the purposes of RSA 294, and, subject to the provisions of the public utility laws of the state, may be amended as provided in RSA 294.

**519:7 Fees.** This corporation, upon acceptance of this act, shall pay to the secretary of state the same organization fee as would be required in the case of a new business corporation and shall thereafter pay all the fees and make all the returns required by any general law applying to such a corporation, either as a business corporation or as a public utility.

**519:8 Effective Date.** This act shall take effect upon such date after its passage as it is accepted by the existing joint stock association, at a meeting duly called for the purpose, by the vote of the holders of two-thirds of each class of capital stock present or represented by proxy and voting at the meeting (a quorum of each class, at least, being present). If this act is thus accepted, the rights of any stockholder who voted against acceptance of this act shall be governed by RSA 294:76-80, inclusive. Any such dissenting stockholder who does not seasonably proceed in accordance with the foregoing provisions shall be bound by the action of the majority and be entitled to the same rights and subject to the same liabilities as the assenting stockholders. If this act is not accepted within one year after its passage, it shall thereupon lapse and become null and void. A true copy of the corporate action accepting this act, attested and sworn to by the clerk, shall be filed and recorded in the office of the secretary of state.

[Approved March 10, 1967.]

[Effective as specified.]

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## CHAPTER 520.

AN AC TO INCREASE THE DEBT LIMIT OF THE NEW IPSWICH SCHOOL DISTRICT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**520:1 Debt Limit Increase.** Notwithstanding the provisions of RSA 33:4-a, the New Ipswich school district of New Ipswich, New Hampshire may incur net indebtedness to an amount at any one time outstanding not exceeding nine (9) per cent of its valuation determined as provided by RSA 33:4-b.

**520:2 Effective Date.** This act shall take effect upon its passage.

[Approved March 23, 1967.]

[Effective date March 23, 1967.]

**CHAPTER 521.**

AN ACT TO CHANGE THE NAME OF THE BAR ASSOCIATION OF THE STATE OF  
NEW HAMPSHIRE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**521:1 Name Changed.** The Bar Association of the State of New Hampshire established as a body corporate by chapter 115 of the Laws of 1873, shall take the name of The New Hampshire Bar Association, and shall hereafter be known by such name.

**521:2 Effective Date.** This act shall take effect upon its passage.  
[Approved March 23, 1967.]  
[Effective date March 23, 1967.]

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**CHAPTER 522.**

AN ACT RELATIVE TO THE LIMITATION ON CAPITAL RESERVE FUND  
APPROPRIATIONS OF PLYMOUTH SCHOOL DISTRICT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**522:1 Plymouth School District; Capital Reserve Fund.** Notwithstanding the provisions of RSA 35:8 the Plymouth school district may by vote apply to the capital reserve fund of said district the sum received from the sale of its buildings and equipment to the Plymouth state college of the university of New Hampshire.

**522:2 Effective Date.** This act shall take effect upon its passage.  
[Approved April 5, 1967.]  
[Effective date April 5, 1967.]

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**CHAPTER 523.**

AN ACT RELATIVE TO THE POWER OF BELKNAP COLLEGE TO GRANT CERTAIN  
DEGREES.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**523:1 Belknap College.** Amend section 1, chapter 416, Laws of 1963 as amended by section 3, chapter 471, Laws of 1965, by inserting after

the word "science" in line eight the words (and associate degrees in arts, and associate degrees in science) so that said section as amended shall read as follows: **416:1 Authority Conferred.** Belknap College, a voluntary corporation formed under the provisions of RSA 292 and located at Center Harbor in the county of Belknap, is hereby authorized and empowered to establish and maintain an institution of learning to be known as Belknap College, to prescribe rules for the government of said college and the courses of studies to be pursued therein. Said college is hereby authorized to confer upon the graduates thereof the degrees of bachelor of arts, and bachelor of science and associate degrees in arts, and associate degrees in science and associate degrees in medical technology for the period from June 1, 1966 through June 30, 1969, and to give customary honorary recognition to outstanding individuals for noteworthy achievement during that period.

**523:2 Effective Date.** This act shall take effect upon its passage.

[Approved April 5, 1967.]

[Effective date April 5, 1967.]

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## CHAPTER 524.

AN ACT RELATING TO LA CAISSE POPULAIRE STE. MARIE OR ST. MARY'S BANK.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**524:1 St. Mary's Bank.** Amend section 3, chapter 303, Laws of 1909, as amended by section 1, chapter 340, Laws of 1925, by striking out said section and inserting in place thereof the following: Sect. 3.

I. Place of Business. The principal place of business of this union shall be in the city of Manchester.

II. Membership. Every member must be a shareholder.

III. Minors. Shares may be issued and deposits received in the name of a minor, and such shares and deposits may, in the discretion of the directors, be withdrawn by such minor, or his parent or guardian, and in either case payments made on such withdrawals shall be valid, and shall release the union from any liability to the minor, parent or guardian. A minor under the age of eighteen years shall not have the right to vote.

IV. Trusts. If shares are held or deposits made in trust the name and residence of the beneficiary shall be disclosed, and the account shall be kept in the name of such holder as trustee for such person. If no other notice of the existence and terms of such trust has been given in writing to the union such shares or deposits may, upon the death of the trustee,

be transferred to or withdrawn by the person who was named by the trustee as the beneficiary, or his legal representatives, and such transfer or withdrawal shall release the union from any liability to any other claimant upon such stock or deposit.

**524:2 Capital.** Amend section 4, chapter 303, Laws of 1909 as amended by section 2, chapter 340, Laws of 1925 and section 2, chapter 342, Laws of 1961, by striking out said section and inserting in place thereof the following: Sect. 4.

The capital of the union shall be unlimited in amount, but not less than fifty thousand dollars. The par value of the shares shall not exceed ten dollars. The by-laws of the union shall prescribe the par value of the shares, the maximum amount which may be held by one member, the conditions on which shares may be paid in, transferred and withdrawn, and the method of receipting for money paid in on account of shares.

**524:3 Use of Funds.** Amend section 5, chapter 303, Laws of 1909, as amended by chapter 284, Laws of 1915, section 3, chapter 340, Laws of 1925, and section 3, chapter 342, Laws of 1961, by striking out said section and inserting in place thereof the following: Sect. 5.

While awaiting call of its members for loans, the union may deposit its money in national banks in the United States and Canada; in such bonds or other securities as are legal investments for savings banks; and as otherwise permitted credit unions organized under chapter 394 RSA.

**524:4 Borrowing: Purchase of Real Estate.** Amend section 5-a, chapter 303, Laws of 1909, as inserted by section 1, chapter 305, Laws of 1933, by striking out said section and inserting in place thereof the following: Sect. 5-a.

I. The board of directors at any regular or special meeting may, by majority vote, authorize the treasurer to borrow specified amounts of money. At no time may the total borrowing exceed thirty per cent of its total paid-in and outstanding shares, guaranty fund and undivided profits.

II. Purchase of Real Estate. The union may purchase, build, improve, hold, dispose of, mortgage, rent, lease, or exchange any property, real or personal, as follows: (a) necessary or incidental to its operation; (b) in which it occupies a portion of as office space; (c) is reasonably required for future expansion. Any purchase, mortgage, exchange or sale of real estate acquired or to be acquired for the purpose of this section shall be subject to the approval of the bank commissioner. Nothing herein shall be deemed to refer to any property, real or personal, acquired by the union in the normal course of its business of making secured loans.

**524:5 Meetings.** Amend section 6, chapter 303, Laws of 1909, as amended by chapter 261, Laws of 1945 and section 4, chapter 342, Laws of 1961, by striking out said section and inserting in place thereof the following: Sect. 6.

I. Annual. The annual meeting the union shall be held at such time and place as the by-laws prescribe, but must be held within sixty days after the close of the fiscal year.

II. Special. Special meetings may be called by a majority of the directors, or of the supervisory committee, and shall be called by the clerk upon written application of one per cent of the members entitled to vote.

III. Notice. Notice of all meetings of the union, and of all meetings of the board of directors and of committees, shall be given in the manner prescribed by the by-laws.

IV. Voting. The members may vote by proxy. No member shall be entitled to more than one vote, nor shall be entitled to vote until he has been a member for more than three months.

V. Entrance Fee. The members at each annual meeting shall fix the amount of the entrance fee, if any, for the ensuing year.

VI. Supervisory Powers. At an annual or special meeting the members may review the acts of the credit committee or of the board of directors, and may reverse any decision of the committee or directors by a three fourths vote of its members entitled to vote; provided, that such three fourths vote comprises a majority of all the members of the union.

**524:6 Officers.** Amend section 7, chapter 303, Laws of 1909, as amended by chapter 261, Laws of 1945, by striking out said section and inserting in place thereof the following: Sect. 7.

I. Election of Directors. The business and affairs of the union shall be managed by a board of not less than five directors, a credit committee of not less than three members and a supervisory committee of three members to be elected at the annual meeting of the union.

II. Qualifications. A member of said board may be a member of either of said committees, but no person may be a member of more than one committee.

III. Oath. All members of said board and of said committees, as well as all officers whom they may elect, shall be sworn to the faithful performance of their duties. A record of every such qualification shall be filed and preserved with the records of the union.

IV. Terms of Directors and Officials. Directors and members of credit committees and of supervisory committees shall be elected for a term of not less than one year nor more than three years, as the by-laws shall provide. If the term is more than one year they shall be divided into classes, and an equal number, as nearly as may be, elected each year. They shall hold their several offices until others are elected and qualified in their stead.

**524:7 Powers and Duties.** Amend section 8, chapter 303, Laws of 1909, as amended by section 2, chapter 305, Laws of 1933, section 1, chap-

ter 261, Laws of 1943, section 3, chapter 261, Laws of 1945 and section 5, chapter 342, Laws of 1961, by striking out said section and inserting in place thereof the following: Sect. 8.

I. Electing Officers. The directors, at their first meeting after the annual meeting of the union, shall elect from their own number a president, a vice president, a clerk, and a treasurer, and such other officers as are deemed necessary, who shall be the executive officers of the union, and who shall hold office until their successors shall have been elected and qualified. The offices of the clerk and treasurer may be held by the same person.

II. Directors Powers. The board of directors shall have the general direction of the affairs of the union, and shall meet monthly. It shall be their special duty to act upon all applications for membership and upon the expulsion of members; to determine the type of loans to be made and the interest to be charged thereon; to declare dividends; to declare interest on deposits; to fix the maximum amount to be loaned any one member; to provide for the compensation of necessary clerical auditing assistance requested by the supervisory committee; and to fill vacancies on the board of directors and credit committee until new members shall be elected and qualified. At the annual or special meeting of the members, the board shall make recommendations relative to the entrance fee, if any, to be charged new members, the need for amendments to the by-laws, and other matters upon which, in their opinion, the members should act at such meetings.

### III. Supervisory Committee.

(a) The supervisory committee shall inspect from time to time the securities, cash and accounts of the union and shall keep fully informed of its financial condition, and shall supervise the acts of its board of directors, credit committee and officers.

(b) The supervisory committee, by a unanimous vote, may suspend any officer of the union, or any member of the credit committee or the board of directors, and, by a majority vote, may call a meeting of the shareholders to consider any violation of this chapter or of the by-laws, or any practice of the union, which, in the opinion of the committee, is unsafe or unauthorized.

(c) Within seven days after the suspension of any officer, or any member of the credit committee of the board of directors, the supervisory committee shall cause notice to be given of a special meeting of the members of the union to take such action relative to such suspension as may seem necessary.

### IV. Credit Committee.

(a) The credit committee shall hold meetings, of which due notice shall be given its members, for the purpose of considering applications



for loans, and no loan shall be made unless all members of the committee who are present when the application is considered, and at least two-thirds of all members of the committee approve the loan and are satisfied that it promises to benefit the borrower. The action of the credit committee in approving or disapproving a loan shall be final.

(b) All applications for loans shall be made in writing and shall state the purpose for which the loan is desired and the security offered.

V. Compensation. Members of the board of directors or of either the credit or supervisory committee shall not receive any compensation for their services as a member of said board or of such committee, but may receive a reasonable per diem allowance for attendance at meetings thereof. The officers elected by the board of directors may receive such compensation as the board shall authorize. However, if at any time the union shall have enlarged its business to such extent that this section may create an impediment to its proper functioning, the commissioner, upon petition of the board of directors, may permit said board of directors to pay such credit committee such compensation as he shall consider proper.

VI. Loans to Officials. Members of the board of directors, officers and members of the credit or supervisory committees may borrow from the union, provided however that such loans have been unanimously approved by members of the credit committee and the supervisory committee and the said loan ratified by the unanimous vote of the board of directors at their next meeting.

**524:8 Vacancies.** Amend section 9, chapter 303, Laws of 1909, by striking out said section and inserting in place thereof the following: Sect. 9.

I. Vacancies. If a director or member of any of these committees ceases to be a member of the union his office shall thereupon become vacant.

II. Filling Vacancies. In the event of the death, resignation or removal from office of any member of the board of directors or the credit committee, the board of directors shall fill such vacancy until the next annual meeting, at which any unexpired terms shall be filled by vote of the members. The supervisory committee shall fill vacancies in its own number until new members shall have been duly elected and qualified.

**524:9 Dividends.** Amend section 11, chapter 303, Laws of 1909, by striking out said section and inserting in place thereof the following: Sect. 11.

I. Declaration. At the annual meeting the board of directors, after having considered the recommendations of the supervisory committee, shall report to the members the rate of dividend paid from income which has been actually collected during the dividend period next

preceding, and which remains after the deduction of all expenses, interest on deposits, and the amount required to be set apart as a guaranty fund, or that such dividend was paid in whole or in part from undivided earnings of preceding years, not to exceed twenty per cent thereof in any one year; provided that such earnings are a part of the surplus of the union in excess of all requirements of the guaranty fund.

II. Participation. Such dividends shall be paid on all fully paid shares outstanding at the close of the dividend period; but shares which become fully paid during the dividend period shall be entitled only to a proportional part of said dividend, calculated from the first day of the month following such payment in full, except that such shares fully paid up during the first ten days of a month may be entitled to a proportionate part of such dividend calculated as if they had been fully paid on the first day of such month.

**524:10 Guaranty Fund.** Amend section 12, chapter 303, Laws of 1909, as amended by section 7, chapter 342, Laws of 1961, by striking out said section and inserting in place thereof the following: Sect. 12.

I. Establishment of Guaranty Fund. Before the payment of any annual or semi-annual dividend in any years there shall be set apart as a guaranty fund fifteen per cent of the net income which has accumulated during the dividend period, except as hereinafter provided. Said fund and the investments thereof shall belong to the union and shall be held to meet the contingencies or losses in its business. All entrance fees shall be added at once to the guaranty fund.

II. Increase. Upon recommendation of the board of directors, the members at any annual or semi-annual meeting may increase, and, whenever said fund equals ten per cent of the amount of the capital stock actually paid in, may decrease the proportion of profits which is required by the preceding section to be set apart as a guaranty fund.

**524:11 By-Laws.** Amend section 13, chapter 303, Laws of 1909, by striking out the same and inserting in place thereof the following: Sect. 13.

I. Contents. The by-laws shall prescribe the name of the union, the purposes for which it was formed, the conditions of residence or occupation which qualify persons for membership, the par value of the shares of capital stock and the maximum number of shares which may be held by one member, the conditions on which shares may be paid in, transferred and withdrawn, the method of receipting for money paid on account of shares or deposited, the number of directors and number of members of the credit and supervisory committees, the duties of the several officers, the fines, if any, which shall be charged for failure to meet obligations to the union punctually, the date of the annual meeting of members, the manner in which members shall be notified of meetings, the number of members which shall constitute a quorum at meetings and such other regulations as may seem necessary.

II. Approval. The union shall not receive deposits or payments on account of shares, or make any loans, until its by-laws have been approved in writing by the commissioner, nor shall any amendments to its by-laws become operative until they have been so approved.

III. Amendment. At any annual meeting, or special meeting, called for the purpose, the members of the union may amend the by-laws, by a three-fourths vote of the members entitled to vote; provided that a copy of the proposed amendment shall have been sent to each member with the notice of the meeting at least twenty-one days prior to the day of the meeting.

**524:12 Supervision.** Amend section 15, chapter 303, Laws of 1909, by striking out said section and inserting in place thereof the following: Sect. 15.

This union is recognized under the laws of the State of New Hampshire as a specially chartered credit union and shall be under the control and supervision of the bank commissioner, who shall have the same authority and powers with respect to it as are now vested in him in the supervision of credit unions established under chapter 394 of the RSA.

**524:13 Effective Date.** This act shall take effect upon its passage.

[Approved April 12, 1967.]

[Effective date April 12, 1967.]

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## CHAPTER 525.

### AN ACT TO AMEND THE CHARTER OF AUSTIN-CATE ACADEMY.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**525:1 Corporation Charter Continued.** The act of 1848, 811 entitled "An Act to incorporate the Strafford Seminary", as amended by the act of 1866, 4383 entitled "An Act to change the name of Strafford Seminary to that of Austin Academy"; the act of 1907, 277 entitled "An Act to amend the charter of Austin Academy"; and the act of 1919, 291 entitled "An Act to revive and amend the charter of Austin-Cate Academy", are continued in force except as amended by this act. The corporation is continued as a body politic by the name of Austin-Cate Academy for the purpose of continuing, perpetuating, and enlarging the school founded at Center Strafford, New Hampshire under the acts cited in this section.

**525:2 Repeal of Previous Provisions.** Laws 1919, 291: 2, 3, 4, 5, and 6 relating to incorporators, voting rights, perpetuation of the corpora-

tion, ex-officio members of trustees, and the constitution and by-laws of Austin-Cate Academy are repealed.

**525:3 Management of Academy.** The general government, operation, and management of Austin-Cate Academy shall be vested in a single board of trustees which shall be self-perpetuating except as to its alumni trustees, its other trustees being elected by ballot by a majority vote of the board. The board shall consist of not less than twelve and not more than fifteen trustees composed as follows:

I. The state commissioner of education, the president of the University of New Hampshire and the chairman of the Strafford School Board are members ex-officios, three members shall be elected by the alumni of Austin-Cate Academy in the manner provided in the by-laws adopted by the alumni association, and not less than six nor more than nine members shall be elected by the Board of Trustees.

II. The Board of Trustees as constituted after the election by the Incorporators on June 25, 1966, shall continue in office until June 30, 1967. Prior to that date the board shall elect not less than two nor more than three trustees for two years; not less than two nor more than three trustees for four years; and not less than two nor more than three trustees for six years. Thereafter, before June 30th of each odd-numbered year the board shall elect not less than two nor more than three trustees to a six year term or until their successors are elected. At least one of the board members shall be a member of the Bar.

**525:4 Constitution and By-Laws; Trustees and Officers.** That the constitution and by-laws adopted October 26, 1966 by the corporation shall be the constitution and by-laws of the corporation, subject to the power reserved in the constitution and by-laws to amend and alter them. That the trustees and officers of the corporation serving under the constitution and by-laws adopted October 26, 1966 shall be the trustees and officers of the corporation, subject to the powers of amendment and alteration reserved in the constitution and by-laws.

**525:5 Inconsistent Acts Superseded.** That all acts or parts of acts specifically relating to Austin-Cate Academy that are inconsistent with this act are superseded by this act.

**525:6 Effective Date.** This act shall take effect upon its passage.

[Approved April 27, 1967.]

[Effective date April 27, 1967.]

**CHAPTER 526.**

AN ACT MAKING AGREEMENTS FOR EXTENSIONS OF WATER MAINS WITH THE  
MANCHESTER WATER WORKS AN ENCUMBRANCE ON REAL ESTATE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**526:1 Encumbrance.** Any agreement between the Manchester Water Works and the owner of real estate pertaining to the extension of water mains, duly recorded in the registry of deeds of the county wherein the real estate is located, shall be an encumbrance on said real estate.

**526:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 9, 1967.]

[Effective date July 8, 1967.]

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**CHAPTER 527.**

AN ACT TO RECLASSIFY A CLASS II HIGHWAY IN THE TOWN OF SEABROOK TO  
A CLASS V HIGHWAY.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**527:1 Class II Highway in Seabrook.** After the effective date of this act, the 0.51 miles of Class II highway in the town of Seabrook known as the Folly Mill Road, beginning at Route U. S. 1 and running westerly to the Class V highway section of the Folly Mill Road, is classified as a Class V highway.

**527:2 Effective Date.** This act takes effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

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**CHAPTER 528.**

AN ACT INCREASING THE NUMBER OF CORPORATE MEMBERS OF THE  
MERCHANTS SAVINGS BANK OF MANCHESTER, NEW HAMPSHIRE.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**528:1 Members of the Corporation.** Amend section 6 of chapter 171

of the Laws of 1899 being the charter of the Merchants Savings Bank of Manchester, New Hampshire, formerly Hillsborough County Savings Bank by striking out the word "fifty" in line two and inserting in place thereof the words (one hundred) so that said section as amended shall read as follows: Sect. 6. The number of members of said corporation shall not exceed one hundred at any one time; and any number not less than five shall constitute a quorum for the transaction of business at the annual and other meetings of the members of said corporation; provided, that said corporation may by its by-laws require the attendance of one or more of its officers to constitute a quorum for the election of new members, in addition to the number of members hereinbefore prescribed for constituting a quorum.

**528:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 11, 1967.]

[Effective date July 10, 1967.]

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## CHAPTER 529.

AN ACT TO RECLASSIFY THE CLASS II HIGHWAY, THE SHANNON BROOK ROAD, IN THE TOWN OF MOULTONBORO TO A CLASS V HIGHWAY; AND TO DISCONTINUE THE CLASS II HIGHWAY, THE BIRCH HILL ROAD, SO-CALLED.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**529:1 Shannon Brook Road.** After the effective date of this act, the 1.04 miles of Class II highway in the town of Moultonboro, known as the Shannon Brook Road, beginning at route N. H. 109 and running westerly to its end is classified as a Class V highway.

**529:2 Birch Hill Road.** After the effective date of this act, the .47 miles of Class II highway, known as the Birch Hill Road, in the town of Moultonboro, with its beginning at route N. H. 109 and running in a southwesterly direction to its end is hereby discontinued as a public highway and the premises and land contained within the confines and limits of said highway is hereby declared to be the property of, and all rights, title, and interest therein is hereby conveyed to Suissevale Incorporated of Moultonboro, New Hampshire, a New Hampshire corporation.

**529:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

**CHAPTER 530.**

AN ACT TO PROVIDE FOR A REFERENDUM ON THE MANNER OF ELECTING MEMBERS OF THE BOARD OF EDUCATION OF UNION SCHOOL DISTRICT OF CONCORD.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**530:1 Referendum.** There shall be a referendum to determine the sense of the qualified voters of Union School District of Concord on the question of when members of the board of education of said district shall be elected. Said referendum shall be held at the same time as the next referendum held pursuant to the provisions of Laws of 1957, 429:54 on the question of the type of government which the City of Concord shall have.

**530:2 Question Submitted.** The referendum ballots shall contain the following question: "Do you favor a change in the time for election of members of the board of education of Union School District of Concord so that election of said members shall take place on the first Tuesday following the first Monday of November of each year rather than on the fourth Tuesday of March as presently provided by law?" After said question, there shall be squares with the words "yes" and "no".

**530:3 Report.** The results of said referendum shall be reported to the 1969 session of the General Court.

**530:4 Takes Effect.** This act shall take effect upon its passage.  
[Approved May 19, 1967.]  
[Effective date May 19, 1967.]

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**CHAPTER 531.**

AN ACT LEGALIZING THE ANNUAL TOWN MEETING HELD IN THE TOWN OF CANTERBURY ON MARCH 14, 1967.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**531:1 Proceedings Legalized.** All the votes and proceedings, including but not being limited to all votes adopting amendments to zoning ordinances, at the annual town meeting held in the town of Canterbury on March 14, 1967, are hereby legalized, ratified and confirmed.

**531:2 Effective Date.** This act shall take effect upon its passage.  
[Approved May 19, 1967.]  
[Effective date May 19, 1967.]

**CHAPTER 532.****AN ACT AUTHORIZING THE CREATION OF THE NEW HAMPSHIRE VERMONT DISTRICT OF THE UNITARIAN UNIVERSALIST ASSOCIATION.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**532:1 Consolidation Authorized.** The New Hampshire Unitarian Association, incorporated by the Laws of 1883, chapter 242 as amended by the Laws of 1965, chapter 447, the New Hampshire Universalist State Convention, incorporated by act approved July 12, 1864, as amended by the Laws of 1935, chapter 309, and Laws of 1911, chapter 262 and the Vermont and Quebec Universalist Unitarian Convention, being a religious corporation established and existing under the laws of the state of Vermont, are hereby authorized to consolidate into the New Hampshire Vermont District of the Unitarian Universalist Association, a religious corporation established and existing under the laws of the state of New Hampshire and duly registered to transact business in the state of Vermont, which consolidated corporation in all respects shall be and shall be deemed to be the legal successor to and continuation of each said organization. The said consolidated corporation shall have all the privileges, powers and immunities provided under chapter 292 of the Revised Statutes Annotated, as amended, and also any and all of the privileges, powers and immunities which any of said organizations have heretofore acquired or enjoyed by statute or otherwise.

**532:2 Effect of Consolidation.**

**I. Trustee.** The consolidated corporation shall be the successor trustee under all trusts, whether heretofore or hereafter created, in which any of said organizations has been or may be named as trustee.

**II. Property.** All property of said organizations, real or personal, including but not limited to, any interest under any trust, and all bequests, devises, gifts, and transfers of any kind heretofore or hereafter made to or for the benefit of any said organization, together with all the interests, powers, privileges, rights, claims and demands owned, possessed, or enjoyed by any of said organizations shall vest in and be owned by the consolidated corporation and said consolidated corporation shall have with respect to such property and such interests, bequests, devises, gifts, and transfers, whether heretofore or hereafter made, the same powers, rights and privileges as would have been possessed by said organizations had such consolidation not been effected.

**III. Liabilities.** The consolidated corporation shall be subject to any and all outstanding liabilities and obligations of said organizations.

**532:3 Adoption of Agreement.** The said organizations are authorized and empowered to adopt such agreement of consolidation as they deem



desirable to effect such consolidation. Such consolidation shall become effective upon the execution and filing of the agreement of consolidation, certified by the president and treasurer of said organizations, in the offices of the city clerk of Concord, New Hampshire, and the secretary of state and no other legal action by any of said organizations shall be required.

**532:4 Separability Clause.** If any part of this act, or the application of any part thereof to any circumstance, shall be held invalid, the validity of other parts thereof and the applicability thereof to other circumstances shall not be affected thereby.

**532:5 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 19, 1967.]

[Effective date July 18, 1967.]

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### CHAPTER 533.

#### AN ACT INCREASING THE NUMBER OF CORPORATE MEMBERS OF AMOSKEAG SAVINGS BANK.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**533:1 Amoskeag Savings Bank; Members of the Corporation.** Amend section 6 of chapter 1257 of the Laws passed at the June session of 1852 as amended by 1961, 312:1 by striking out the word "fifty" in line two and inserting in place thereof the words (one hundred) so that said section as amended shall read as follows: Sec. 6. The number of members of said corporation shall not exceed one hundred at any one time; and any number not less than seven shall constitute a quorum for the transaction of business at the annual and other meetings of the members of said corporation; Provided, such meetings shall have been duly notified according to the by-laws of said corporation: And provided further, that said corporation may by its by-laws require the attendance of one or more of its officers to constitute a quorum for the election of new members, in addition to the number of members hereinbefore prescribed for constituting a quorum.

**533:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved May 22, 1967.]

[Effective date July 21, 1967.]

**CHAPTER 534.**

AN ACT TO LEGALIZE THE PROCEEDINGS OF THE 1965 ANNUAL MEETING OF  
THE BAY DISTRICT, CONSISTING OF A PORTION OF THE TOWNS OF  
CENTER HARBOR AND MOULTONBORO.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**534:1 Proceedings Legalized.** All the votes and proceedings taken at the annual meeting of The Bay District, consisting of a portion of the towns of Center Harbor and Moultonboro, on March 16, 1965, and at the adjourned sessions thereof held on July 13, 1965 and February 8, 1966, including without limitation the vote at the February 8, 1966 session authorizing the issue of three hundred fifty thousand dollars sewer bonds under RSA 33, are hereby legalized, ratified and confirmed.

**534:2 Effective Date.** This act shall take effect upon its passage.  
[Approved May 24, 1967.]  
[Effective date May 24, 1967.]

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**CHAPTER 535.**

AN ACT TO LEGALIZE THE ELECTION OF OFFICERS OF THE WARNER SCHOOL  
DISTRICT AT THE ANNUAL TOWN MEETING IN THE TOWN OF  
WARNER ON MARCH 14, 1967.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**535:1 Proceedings Legalized.** The election of officers of the Warner school district at the annual town meeting in the town of Warner on March 14, 1967, to wit, Richard U. Cogswell as moderator, Donald E. Peirce as school board member, Lois M. Flagg as district clerk, and Thomas B. Henley and Caleb W. Whiton as auditors, is hereby legalized and confirmed and all said officers are hereby declared to have all the rights, duties and powers necessary and appendant to their respective offices.

**535:2 Effective Date.** This act shall take effect upon its passage.  
[Approved May 25, 1967.]  
[Effective date May 25, 1967.]

**CHAPTER 536.**

AN ACT LEGALIZING PROCEEDINGS AT THE ANNUAL MEETING OF THE MASCOMA VALLEY REGIONAL SCHOOL DISTRICT HELD IN THE TOWN OF CANAAN ON MARCH 22, 1967.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**536:1 Proceedings Legalized.** All the votes and proceedings at the annual meeting of the Mascoma Valley Regional School District, comprised of the pre-existing school districts of Enfield, Canaan, Dorchester, Grafton and Orange, held in the town of Canaan on March 22, 1967, are hereby legalized, ratified and confirmed.

**536:2 Effective Date.** This act shall take effect upon its passage.

[Approved May 25, 1967.]

[Effective date May 25, 1967.]

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**CHAPTER 537.**

AN ACT TO PERMIT THE TOWN OF NEW DURHAM TO BORROW MONEY IN EXCESS OF ITS DEBT LIMIT.

WHEREAS, in the apportionment of the tax to be raised by the town of New Durham for the year 1966-67 for the Governor Wentworth School District said town, based upon incorrect information, assessed a tax which was \$20,562.74 less than the sum which should have been assessed, and

WHEREAS, the town of New Durham must raise the sum of \$20,562.74 to meet its obligation to the Governor Wentworth School District, and

WHEREAS, to make a supplementary assessment for the current year would impose an undue hardship upon the taxpayers of New Durham, now therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**537:1 Authority Granted.** The town of New Durham is hereby authorized to borrow the sum of \$20,562.74 and to issue its serial notes therefor, said sum to be repaid within a period not exceeding five years. The debt hereby incurred shall not be considered in determining the debt limit of the town of New Durham under the municipal finance act.

**537:2 Effective Date.** This act shall take effect upon its passage.

[Approved May 25, 1967.]

[Effective date May 25, 1967.]

**CHAPTER 538.**

AN ACT AUTHORIZING THE VOTERS OF CHARLESTOWN TO VOTE AGAIN ON  
THE QUESTION OF THE RETENTION OF THE MUNICIPAL COURT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**538:1 Municipal Court.** The voters of the town of Charlestown are hereby authorized under an article in the warrant for said meeting to vote again on the question of whether the municipal court shall be retained, as provided in RSA 502-A:35. The vote may be taken at the annual town meeting to be held in 1968 or at any special town meeting called for this purpose prior thereto. RSA 502-A:35, insofar as applicable, shall be in full force and effect at said meeting. The vote shall be taken on a printed ballot.

**538:2 Effective Date.** This act shall take effect upon passage.

[Approved May 25, 1967.]

[Effective date May 25, 1967.]

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**CHAPTER 539.**

AN ACT RELATIVE TO CAPITAL RESERVES FOR THE CITY OF MANCHESTER.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**539:1 Manchester Capital Reserve Funds.** Amend section 1 of chapter 436 of the Laws of 1949 by striking out the words "one-tenth" in line fourteen and inserting in their place the words (one-fourth) and by striking out the words "no such transfer shall take effect until it shall have been approved by the state tax commission", so that the section as amended shall read as follows:

1. Capital Reserve Funds. The city of Manchester may raise and appropriate money for the establishment of a capital reserve fund for the financing of all or a part of the cost of (a) construction, reconstruction or acquisition of a specified capital improvement or the acquisition of a specific item or items of equipment; or (b) the construction, reconstruction or acquisition of a type of capital improvement or the acquisition of a type of equipment. The authority granted under this act shall be exercised by the mayor and board of aldermen only after the adoption of a capital improvement budget and program. There may be paid into any such capital reserve fund such amounts as may be raised and appropriated therefor but such amount shall not exceed, in any one year,

one-fourth of one per cent of the last assessed valuation of the city. The mayor and board of aldermen may also vote to transfer to a capital reserve fund any of its unencumbered surplus funds at the end of the fiscal year, but not in excess of twenty-five thousand dollars in any twelve-month period. Any capital reserve fund so established shall be placed in the custody of the trustees of trust funds and shall be kept in a separate account. Such funds shall be invested only by deposit in some savings bank or trust company in this state, or in bonds or notes of this state. When so invested in good faith the trustees shall not be liable for any loss sustained thereby. Any interest accruing or any capital gains realized on money so invested shall become an integral part of the fund. If, after a capital reserve fund has been established for a definite purpose, it becomes apparent that it is unnecessary or inexpedient to so expend the money, the mayor and board of aldermen may, after a public hearing and by a three-fourths vote of its entire membership, transfer the unexpended funds, in whole or in part, to some other capital reserve fund.

**539:2 Referendum.** This act shall not take effect unless it is adopted by a majority vote of those present and voting at the regular biennial election held in Manchester in November, 1967, as hereinafter provided. The city clerk then in office shall cause to be included on the official ballot then used the following question: "Shall the provisions of an act relative to the capital reserve funds for the city, as enacted at the 1967 session of the general court, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each such word in which the voter may indicate his choice. The referendum shall be conducted in every way, except as otherwise herein provided, in the same way as the election of officers. If a majority of those voting on this question vote in the affirmative on this question this act shall be declared to have been adopted. Within ten days after said referendum the city clerk shall certify to the secretary of state the results of said vote.

**539:3 Effective Date.** The provisions of section 2 shall take effect upon the passage of this act and if adopted as therein provided the remaining provisions of this act shall take effect January 1, 1968.

[Approved June 2, 1967.]

[Effective date — Section 2 June 2, 1967.]

[Remainder of act effective as specified.]

**CHAPTER 540.****AN ACT RELATIVE TO THE CHARTER OF THE FIRST OR NORTH PARISH  
IN PORTSMOUTH.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**540:1 Charter of the First or North Parish in Portsmouth.** Amend chapter 10 of the Laws of 1791, being the charter of the First or North Parish in Portsmouth, approved June 15, 1791, as amended by chapter 340 of the Laws of 1953, by adding at the end thereof the following new paragraph: That said corporation shall have power by appropriate by-laws to fix qualifications for membership and voting privileges to its members, and to convey and encumber any property owned by it, by vote of its membership, all without limitation of any other powers which said corporation may have.

**540:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 2, 1967.]

[Effective date June 2, 1967.]

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**CHAPTER 541.****AN ACT RELATIVE TO THE CHARTER OF THE NEW HAMPSHIRE  
ODD FELLOWS' HOME.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**541:1 Amount of Property Authorized.** Amend section 2, chapter 208, Laws of 1883, as amended by chapter 219, Laws of 1903, chapter 233, Laws of 1923 and chapter 267, Laws of 1931, by striking out the words "one million, five hundred thousand dollars" and inserting in place thereof the words (three million dollars), so that said section as amended shall read as follows: Sect. 2. Said corporation shall have the power to take and hold, by gift, grant, bequest, purchase, or otherwise, any real or personal estate to an amount not exceeding three million dollars.

**541:2 Effective Date.** All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect sixty days after its passage.

[Approved June 9, 1967.]

[Effective date August 8, 1967.]

**CHAPTER 542.**

AN ACT INCREASING THE AUTHORIZED DEBT LIMIT OF PLYMOUTH  
SCHOOL DISTRICT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**542:1 Debt Limit Increased.** Notwithstanding the provisions of RSA 33:4-a the Plymouth School District may incur net indebtedness to an amount at any one time outstanding not exceeding nine per cent of its valuation determined as provided by RSA 33:4-b.

**542:2 Effective Date.** This act shall take effect upon its passage.  
[Approved June 9, 1967.]  
[Effective date June 9, 1967.]

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**CHAPTER 543.**

AN ACT RELATIVE TO THE POWER OF THE MAYOR OF NASHUA AS CHAIRMAN  
EX OFFICIO OF THE BOARD OF PUBLIC WORKS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**543:1 Time of Special Meeting for Approval by Board of Aldermen of Action of Board of Public Works.** Amend section 46, part 1 of chapter 427, Laws of 1913 by inserting after the words "approved by" in line six the words (at least two-thirds of) and by inserting in line twelve after the words "meeting called" the words (before the next regular meeting) so that said section as amended shall read as follows: Sec. 46. The mayor shall be chairman ex officio and a member of the board of public works for all purposes, including voting and counting of a quorum. He shall have no negative on the action of such board, but may in his discretion suspend the operation or execution of any vote or decision adopted by it until the same shall be approved by at least two-thirds of the full board of aldermen, by causing an order to that effect to be entered on the records of the board of public works, and communicated to each member of the latter board and any other persons affected, within seven days after the adoption of such vote or decision and before any obligations have been incurred thereunder. The matter shall then be laid before the board of aldermen at its next regular meeting, or at a special meeting called before the next regular meeting for that purpose and the action of said board confirming, annulling or reversing the vote or decision of the board of public works shall, subject to the negative given the mayor by the next following section, be final and conclusive.

**543:2 Referendum.** This act shall not take effect unless it is adopted by a majority vote at the regular municipal election held in the city of Nashua on November 7, 1967, as hereinafter provided. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers the following question: "Shall the provisions of an act entitled 'An act relative to the power of the mayor of Nashua as chairman ex officio of the board of public works', passed at the 1967 session of the legislature, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. The referendum relative to the adoption of this act shall be conducted in every way, except as otherwise herein provided in the same manner as the election of candidates for offices under the present charter. If a majority of those voting on this question at said election vote in the affirmative on this question, this act shall be declared to have been adopted. The city clerk shall within one week of said election certify to the secretary of state the result of the vote on the above question.

**543:3 Effective Date.** Section 2 of this act takes effect upon its passage, and if the act shall be adopted at the election of November 7, 1967, the remainder of this act shall take effect January 1, 1968.

[Approved June 13, 1967.]

[Effective date — Section 2 June 13, 1967 —  
remainder of act as specified.]

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## CHAPTER 544.

### AN ACT RELATIVE TO PROPERTY HOLDING OF ALTON BAY CAMPMEETING ASSOCIATION OF THE ADVENT CHRISTIAN CHURCH.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**544:1 Alton Bay Campmeeting Association.** The Alton Bay Campmeeting Association of the Advent Christian Church is hereby authorized and empowered to take and hold real and personal estate, by deed, donation, bequest or otherwise; for the purposes of said corporation to an amount not exceeding one million dollars, and may sell, convey or otherwise dispose of the same at pleasure.

**544:2 Repeal.** Sect. 3 of the charter of said corporation approved June 26, 1874 (Laws of 1874, chapter 173), granting a property tax exemption, and so much of the charter of said corporation, as amended by Laws 1919, chapter 244, as limits the amount of property which it is authorized to hold to one hundred thousand dollars, are hereby repealed.



**544:3 Effective Date.** This act shall take effect upon its passage.

[Approved June 19, 1967.]

[Effective date June 19, 1967.]

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## CHAPTER 545.

### AN ACT INCREASING THE NUMBER OF INCORPORATORS OF THE MANCHESTER SAVINGS BANK.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**545:1 Manchester Savings Bank.** Amend section 6 of chapter 404 of the Laws of 1846 as amended by chapter 402 of the Laws of 1959, being the charter of the Manchester Savings Bank, by striking out said section and inserting in place thereof the following: Sect. 6. The number of members of said corporation shall not exceed one hundred at any one time, and any number (not less than fifteen) shall constitute a quorum for the transaction of business at the annual and other meetings of the members of said corporation; provided, such meetings shall have been duly notified according to the by-laws of said corporation; and provided further, that said corporation may by its by-laws require the attendance of one or more of its officers to constitute a quorum for the election of new members, in addition to the number of members hereinbefore prescribed for constituting a quorum.

**545:2 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 19, 1967.]

[Effective date August 18, 1967.]

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## CHAPTER 546.

### AN ACT LEGALIZING THE ANNUAL TOWN MEETING HELD IN THE TOWN OF DERRY ON MARCH 14, 1967.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**546:1 Proceedings Legalized.** All the votes and proceedings, pertaining to the raising and appropriating money and authorizing the issuance of notes and bonds, and the election of town officers at the annual town meeting held in the town of Derry on March 14, 1967, are hereby legal-

ized, ratified and confirmed, but specifically not ratifying the proceedings, notices and ballots pertaining to zoning changes.

**546:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 19, 1967.]

[Effective date June 19, 1967.]

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## CHAPTER 547.

### AN ACT CREATING AN ASSOCIATE MEMBERSHIP IN THE UPPER VALLEY DEVELOPMENT COUNCIL, INC.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**547:1 Corporate Charter Amended.** Amend chapter 435, Laws of 1963 by inserting after section 3 the following new sections:

**435:3-a Associate Membership.** In addition to the regular membership of cities, towns, and villages provided in section 3, there shall be a nonvoting associate membership in the council for any person, corporation, or association approved by the board of directors and desirous of furthering the purposes of the council.

**435:3-b Dues of Associate Members.** A schedule of dues for associate members shall be prepared by the board of directors.

**435:3-c Development Fund; Trustees.** All associate membership dues shall be deposited in a development fund to be administered by three trustees, appointed by the council president with the approval of the board of directors, of whom one shall be a member of said board. The trustees shall serve for a term of three years and until their successors are appointed and qualify. Nothing herein prohibits the reappointment of trustees to successive terms. Said trustees may use any part or all of the development fund in any given year for any purpose of this chapter, including but not limited to use for options on land, purchase of land and/or building loans to businesses and industries, administrative expenses and payment for services rendered by individuals.

**547:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 19, 1967.]

[Effective date June 19, 1967.]

**CHAPTER 548.**

AN ACT TO SEVER CERTAIN HOMESTEADS FROM SCHOOL DISTRICT NO. 12 IN THE TOWN OF BRADFORD AND ANNEX THE SAME TO SCHOOL DISTRICT NO. 3 IN THE TOWN OF NEWBURY, FOR SCHOOL PURPOSES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**548:1 Homesteads Severed and Annexed.** The homesteads owned respectively by Arthur E. and Georgette Gagnon (formerly Jennie M. Messer), Douglas P. and Mary C. Webb (formerly Alice A. Ayer) and Dr. Byron L. Sweet (formerly Freeman Gillingham) situated in the town of Newbury are hereby severed from school district number 12, called the Hoyt district in the town of Bradford, and annexed to school district number 3 in the town of Newbury, called the Craig district in said town of Newbury.

**548:2 Repeal.** The provisions of chapter 282 of the Laws of 1907 are hereby repealed.

**548:3 Effective Date.** This act shall take effect sixty days after its passage.

[Approved June 19, 1967.]

[Effective date August 18, 1967.]

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**CHAPTER 549.**

AN ACT LEGALIZING THE BUDGET MEETING OF THE MERRIMACK COUNTY CONVENTION HELD ON MAY 1, 1967.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**549:1 Proceedings Legalized.** All the votes and proceedings, including but not being limited to the adoption of the budget, of the Merrimack county convention held on May 1, 1967, are hereby legalized, ratified and confirmed.

**549:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 19, 1967.]

[Effective date June 19, 1967.]

**CHAPTER 550.****AN ACT RELATIVE TO A BUDGET COMMITTEE FOR THE NEWFOUND AREA  
SCHOOL DISTRICT.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**550:1 Newfound Area School District.** Upon application of ten voters of the Newfound Area Cooperative School District the school board of said cooperative district shall insert in the warrant for the annual school district meeting an article calling for a consideration of the establishment of a budget committee for said school district under the provision of RSA 195:12-A. If the article is adopted by said meeting the action shall be effective for the next subsequent annual meeting. Voting on said article shall be by secret ballot, prepared by the school district clerk, and the voting shall be held at the place where the annual cooperative meeting is being held. At said meeting the polls shall be open for voting on said article from two p.m. in the afternoon to eight o'clock in the evening.

**550:2 Effective Date.** This act shall take effect upon its passage.  
[Approved June 27, 1967.]  
[Effective date June 27, 1967.]

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**CHAPTER 551.****AN ACT ESTABLISHING A BOARD OF POLICE COMMISSIONERS FOR THE TOWN  
OF GILFORD.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**551:1 Powers Transferred.** The powers now possessed by the board of selectmen of the town of Gilford in relation to the appointment, control and removal of police officers for said town, as provided in the statutes of the state and the ordinances of said town are hereby transferred to a board of police commissioners, who shall perform this function with the assistance and recommendations of the chief of police for said town.

**551:2 Composition of Board.** The board of police commissioners shall consist of three members who shall be elected by the legal voters of the town of Gilford at its annual town meeting. Said commissioners shall hold office for a term of three years from the third Tuesday of March or until their successors are elected or appointed and qualify. Of the three persons first elected to constitute said board, the one receiving

the highest number of votes shall hold office for three years, the one receiving the second highest number of votes shall hold office for two years, and the one receiving the lowest number of votes shall hold office for one year, so that after the first board of commissioners is elected, only one commissioner shall be elected each year by the legal voters of said town. In case of a tie vote at the first election the tie shall be determined by the town clerk and said clerk shall in the presence of the candidates draw lots to decide which candidate shall hold the longer term of office. Any vacancy in the board shall be filled by the board of selectmen of said town, and a person thus appointed shall hold office until the next annual election when the vacancy shall be filled by election for the unexpired term. No commissioner shall hold any other town office during his term as commissioner, and all commissioners shall have been residents of said Gilford for at least five years immediately preceding the date of their election.

**551:3 Police Force.** The police force of said town shall consist of a chief of police and as many officers, non-commissioner officers, patrolmen, and special officers as may be deemed necessary by the chief of police and the board of police commissioners, and said persons shall devote such time as shall be required by the commissioners to the performance of the duties of their office, and shall not be engaged in any other business or occupation except as constables and special officers whenever and in such numbers as may be deemed best. All police officers shall be appointed by the police commissioners from applicants approved and submitted by the chief of police. The said commissioners shall have the right to remove any member of the police force at any time for good and sufficient cause after a due hearing when, in their judgment, the public good requires it. All police officers appointed as aforesaid shall have and exercise when on duty, all powers possessed by police officers and constables, except as to the service of civil process; and the chief and such of the regular officers as the commissioners may designate shall be constables for all purposes.

**551:4 Rules and Regulations; Tenure.** The police commissioners shall have full power to make all rules for the government of the police force, including tenure of office, and to enforce said rules.

**551:5 Organization of the Board.** The police commissioners shall elect one of their number who shall act as chairman of the board and one who shall act as clerk and keep a record of their proceedings, issue all notices, and attest all such papers and orders as the said board shall desire.

**551:6 Report and Records.** The said board shall make a detailed report of its doings quarterly to the board of selectmen of said town. The records of the board of police commissioners shall at all times be open to the inspection of the citizens of Gilford.

**551:7 Compensation; Salaries.** The compensation of the commissioners shall be fixed from time to time by the board of selectmen, and the compensation of the chief of police and the members of the police force shall be fixed from time to time by the police commissioners, all of which compensation shall be paid by the town of Gilford. The compensation of the members of the police force shall be in the form of salaries or wages, which shall be in full for all services, and all fees to which said members of the police force become entitled as police officers or as constables or otherwise in connection with criminal proceedings instituted by the town, or made a charge against the town, shall be turned over and belong to the town and they shall make no charge therefor, except for actual expense incurred.

**551:8 Referendum.** This act shall not be in effect unless it is adopted by a majority vote of the legal voters of the town of Gilford at the annual town meeting in March, 1968, or a special meeting called for the purpose prior to said March meeting. If a vote is taken at the annual town meeting, the clerk shall cause to be included on the regular ballot for the election of officers the following question: "Shall the provisions of an act establishing a board of police commissioners for the town of Gilford as passed by the legislature of 1967 be adopted?" Beneath this question shall be printed the word "Yes" and the word "No", with a square immediately opposite each such word, in which the voter may indicate his choice. If a majority of those present and voting on the question vote in the affirmative on this question this act shall be declared to have been adopted. If a special meeting is called for the consideration of the adoption of this act, the town clerk shall prepare a special ballot on which shall appear the foregoing question. If the act in question is adopted at such special meeting, another special meeting may be called for the election of the police commissioners, who shall hold office until the 1968 annual town meeting. If the act is adopted at the March 1968 annual town meeting, a special town meeting shall be called for the election of commissioners, such commissioners to be elected, and their several terms of office to be determined, in accordance with section 2.

**551:9 Effective Date.** Section 8 of this act shall take effect sixty days after passage, and the remaining provisions shall take effect as herein provided.

[Approved June 27, 1967.]

[Effective date — section 8

Effective August 26, 1967; remainder of act as specified.]

**CHAPTER 552.**

AN ACT LEGALIZING PROCEEDINGS AT THE ANNUAL MEETING OF THE AMHERST SCHOOL DISTRICT HELD IN THE TOWN OF AMHERST  
ON MARCH 10, 1967.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**552:1 Proceedings Legalized.** All the votes and proceedings at the annual meeting of the Amherst School District held in the town of Amherst on March 10, 1967, are hereby legalized, ratified and confirmed.

**552:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 27, 1967.]

[Effective date June 27, 1967.]

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**CHAPTER 553.**

AN ACT ESTABLISHING THE LISBON WATER DEPARTMENT.

WHEREAS, the following article was adopted at the town of Lisbon annual town meeting in March, 1967:

Article No. 12. To see if the town will vote to authorize the board of selectmen to take all steps necessary to obtain a special act of the legislature organizing a separate Lisbon Water Department vesting the management, control and direction of the Lisbon water-works system in a board of three commissioners. Now, therefore,

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**553:1 Lisbon Water Department Established; Commissioners.** There is hereby established a Lisbon Water Department within the town of Lisbon for the more convenient management of the presently existing water works system in said town. The management, control and direction of the Lisbon water department is hereby vested in a board of three water commissioners, who shall be citizens of said town of Lisbon. Their term of office shall be for three years and until their successors are appointed as hereinafter provided and qualified. The first board of water commissioners of the Lisbon water department shall be chosen for terms of one, two, and three years, respectively.

**553:2 Appointment of Water Commissioners.** The first board of water commissioners of the Lisbon water department shall be appointed by the board of selectmen of the town. Their successors shall be elected

at each annual meeting or election thereafter in the same manner and form as other town officers are elected.

**553:3 Compensation and Organization of Water Commissioners.** The compensation of the board of water commissioners shall be fixed by the board of selectmen of the town, subject to being changed by a vote of the town at any regular or special town meeting called for that purpose. They shall be sworn to the faithful discharge of their duties. They shall annually organize by choosing one of their number as chairman of the board. They shall appoint a clerk and a superintendent of the works and such other officers as they may deem necessary, and shall thereupon furnish a certificate of such organization to the town clerk, who shall record the same in the town records. The board of water commissioners shall fix the compensation of all officers and agents appointed by them, and all officers and agents shall be sworn to the faithful discharge of their duties.

**553:4 Vacancies.** Whenever a vacancy shall occur in said board of water commissioners from any cause, the board of selectmen shall fill such vacancy temporarily by the written appointment of a citizen of the town of Lisbon. This appointment shall be filed with the town clerk for record, and the person so appointed shall hold office until the next regular annual town meeting, when a commissioner for the unexpired term shall be elected.

**553:5 Reports.** The board of water commissioners shall annually, at the time other town officers report, make a report to the town of the condition of the plant financially and otherwise, showing the funds of the department, the expenses and income thereof, and all other material facts. This report shall be published in the annual report of the town of Lisbon.

**553:6 Referendum.** The provisions of this act shall not take effect unless it is adopted by a majority vote at the annual town meeting to be held in the town of Lisbon in March, 1968, or at a special town meeting called for this purpose prior thereto, as hereinafter provided. The town clerk then in office shall cause to be placed at the bottom of the regular election ballot for town officers, or on a special ballot prepared for the purpose, the following question: "Shall the provisions of an act entitled 'An act establishing the Lisbon water department' passed at the 1967 session of the legislature be adopted?" Beneath the question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided, in the same manner as the election of town officers. If a majority of those voting on this question at said election or meeting vote in the affirmative on this question this act shall be declared to have been adopted. Within ten days after said election or



meeting the town clerk shall certify to the secretary of state the result of said vote.

**553:7 Effective Date.** Section 6 of this act shall take effect upon its passage and if the act shall be adopted at either the annual town meeting in March, 1968 or at a special town meeting called for this purpose prior thereto, the remainder of this act shall take effect ten days after its adoption at either of such town meetings.

[Approved June 27, 1967.]

[Effective date as specified.]

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## CHAPTER 554.

### AN ACT AUTHORIZING PRIVATE MEETINGS OF THE LEBANON CITY COUNCIL ON MATTERS IN LITIGATION.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**554:1 Private Meetings Authorized.** Amend 1957, 419:21 by inserting after the word "public" in line one the words (except that the council may, upon a vote by two-thirds majority of the council in a public meeting, hold a private meeting to discuss or act on subjects involving pending or threatened litigation where the city is a party or involving personnel in the administrative service of the city) so that said section as amended shall read as follows: **419:21 Meetings.** All meetings of the council shall be public, except that the council may, upon a vote by two-thirds majority of the council in a public meeting, hold a private meeting to discuss or act on subjects involving pending or threatened litigation where the city is a party or involving personnel in the administrative service of the city. Regular meetings shall be held on such day of each month at such time as the council shall, from time to time, by ordinance or resolutions direct, and at such other times as are required by this charter. Special meetings may be had upon notice delivered to each councilman by the city clerk at the request of the mayor, the manager, or a majority of the councilmen. The council shall establish its own rules. A majority of the council shall constitute a quorum for the transaction of business.

**554:2 Referendum.** This act shall not take effect unless it is adopted by a majority vote at the regular municipal election held in the city of Lebanon on November 7, 1967, as hereinafter provided. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers the following question: "Shall the provisions of an act entitled 'An Act authorizing private meetings of the Lebanon city council on matters in litigation,' passed at the 1967 session of the

legislature, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided in the same manner as the election of candidates for offices under the present charter. If a majority of those voting on this question at said election vote in the affirmative on this question, this act shall be declared to have been adopted. The city clerk shall, within ten days of said election, certify to the secretary of state the results of the vote on the above question.

**554:3 Effective Date.** Section 2 of this act takes effect upon its passage, and if the act shall be adopted at the election of November 7, 1967, the remainder of this act shall take effect on January 1, 1968.

[Approved June 27, 1967.]

[Effective date as specified.]

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## CHAPTER 555.

### AN ACT AUTHORIZING GUNSTOCK JUNIOR COLLEGE OF LACONIA TO CONFER DEGREES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**555:1 Authority Granted.** Gunstock Junior College of Laconia, an educational institution, is hereby authorized to confer upon the graduates therefrom associate degrees in arts and sciences for the period from May 1, 1968 to June 30, 1969, provided that the granting of such degrees is approved by the coordinating board of advanced education and accreditation.

**555:2 Effective Date.** This act shall take effect upon its passage.

[Approved June 27, 1967.]

[Effective date June 27, 1967.]

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## CHAPTER 556.

### AN ACT RELATIVE TO CHESHIRE COUNTY SAVINGS BANK AND PORTSMOUTH SAVINGS BANK.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**556:1 Cheshire County Savings Bank.** Amend section 5 of chapter

193 of the Laws of 1897 as amended by chapter 326, Laws of 1961, being the charter of the Cheshire County Savings Bank of Keene, by striking out the section and inserting in place thereof the following: Sect. 5. Said trustees shall qualify in the manner prescribed by law. They shall annually elect from their membership a chairman of the board, a vice chairman of the board and a president. They may also annually elect one or more vice presidents, a treasurer, a secretary and such other officers as may be necessary for the proper management of the business of said bank, and may remove the same at pleasure. A majority of the trustees shall constitute a quorum.

**556:2 Portsmouth Savings Bank.** Amend Laws 1823, chapter 27, section 5, being the charter of Portsmouth Savings Bank, approved June 26, 1823, by striking out said section and inserting in place thereof the following:

Section 5. And be it further enacted, that the number of members of said corporation shall not exceed fifty at one time; and any number not less than fifteen shall constitute a quorum for the transaction of business at the annual meeting or other meetings of the members of said corporation; provided that such meetings shall have been duly notified in conformity to the by-laws of said corporation; and provided further, that said corporation may by their by-laws require the attendance of one or more of their officers by them designated to constitute a quorum for the election of new members in addition to the number of members hereinbefore described.

**556:3 Effective Date.** This act shall take effect upon its passage.

[Approved June 27, 1967.]

[Effective date June 27, 1967.]

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## CHAPTER 557.

### AN ACT RELATING TO THE MINUTES OF PRIVATE MEETINGS OF THE LEBANON CITY COUNCIL.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**557:1 Minutes of Private Meetings.** Amend 1957, 419:67 by inserting after the word "city" in line twelve the words (except that the council may direct that the minutes of any private meeting held pursuant to section 21 may be kept private for a reasonable period of time) so that said section as amended shall read as follows: **419:67 Public Records.** All books of account, in relation to the receipt, holding or disbursement of money

of the city kept by any official of the city, shall be paid for by the city, shall remain the property of the city, and shall be turned over to the city clerk whenever the keeper of the books of account retires from the office. All books pertaining to city affairs kept by the city manager, city clerk, or any other elective or appointive officer of the city shall be kept in the city buildings in their proper places and shall not be removed therefrom without an order of court or a vote of the city council first had and obtained. All books and accounts of any official of the city and all records of the city council and any committee thereof shall at all times in business hours be open to the inspection of any citizen of the city, except that the council may direct that the minutes of any private meeting held pursuant to section 21 may be kept private for a reasonable period of time.

**557:2 Referendum.** This act shall not take effect unless it is adopted by a majority vote at the regular municipal election held in the city of Lebanon on November 7, 1967, as hereinafter provided. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers the following question: "Shall the provisions of an act entitled 'An Act relating to the minutes of private meetings of the Lebanon city council,' passed at the 1967 session of the legislature, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided in the same manner as the election of candidates for offices under the present charter. If a majority of those voting on this question at said election vote in the affirmative on this question, this act shall be declared to have been adopted. The city clerk shall, within ten days of said election, certify to the secretary of state the result of the vote on the above question.

**557:3 Effective Date.** Section 2 of this act takes effect upon its passage, and if the act shall be adopted at the election of November 7, 1967, the remainder of this act shall take effect on January 1, 1968.

[Approved June 27, 1967.]

[Effective date as specified.]

**CHAPTER 558.****AN ACT RELATIVE TO PROCEDURE FOR SUBMISSION OF BUDGET FOR CITY OF DOVER.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**558:1 City of Dover.** Amend section 29 of the charter of the city of Dover, as inserted by section 33, chapter 358, Laws of 1953, by striking out said section and inserting in place thereof the following: 29. Budget Procedure. At such time as may be requested by the manager or specified by the administrative code, each officer or director of a department shall submit an itemized estimate of the expenditures for the next fiscal year for the departments or activities under his control to the manager, who shall submit them, with his recommended budget to the council on or before January thirty-first of the fiscal year, which shall be the budget submitted to the public hearing, unless another date shall be fixed by ordinance.

**558:2 Budget.** Amend section 31 of the charter of the city of Dover, as inserted by section 33, chapter 358, Laws of 1953, by striking out said section and inserting in place thereof the following: 31. Date of Adoption. The budget shall be finally adopted not later than March fifteenth of the fiscal year and not earlier than seven days after the public budget hearing, unless another date shall be fixed by ordinance.

**558:3 Referendum.** This act shall not take effect unless it is adopted by a majority vote of those present and voting at the regular biennial election held in Dover, 1967, as hereinafter provided. The city clerk then in office shall cause to be included on the ballot then used the following question: "Shall the provision of an act relative to procedure for submission of the budget for the city of Dover, as enacted by the 1967 session of the general court, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each such word, in which the voter may indicate his choice. The referendum shall be conducted in every way, except as otherwise herein provided, in the same manner as the election of officers. If a majority of those voting on this question vote in the affirmative on this question this act shall be declared to have been adopted. Within ten days after said referendum the city clerk shall certify to the secretary of state the results of said vote.

**558:4 Effective Date.** The provisions of section 3 shall take effect upon its passage and if adopted as therein provided the remaining provisions of this act shall take effect January 1, 1968.

[Approved June 30, 1967.]

[Effective date — section 3 — June 30, 1967

Remainder of act when adopted.]

**CHAPTER 559.****AN ACT AMENDING THE CHARTER OF THE CITY OF LEBANON.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**559:1 Ward Boundaries.** Amend 1957, 419:4 by striking out said section and inserting in place thereof the following: **419:4 Wards Defined.** The city of Lebanon shall consist of three wards, divided as follows:

Ward 1 shall consist of all that land in said city of Lebanon beginning at the junction of the Lebanon-Plainfield line with the New Hampshire-Vermont boundary; thence easterly along said Lebanon-Plainfield line until it meets with Hibbard Brook; thence northerly along said brook until it meets with the Poverty Lane Road so called; thence northerly and easterly along said road including residences adjoining both sides until it meets with the junction of the Daisy Hill Road; thence northerly from said junction in the center line of Poverty Lane Road or Podgum Road to the Mascoma River; thence northerly across said river in the center line of Slayton Street until it merges with Mechanic Street; thence continuing northerly along the center line of the street passing under the railroad underpass until it merges with Mascoma Street; thence northwesterly along the center line of Mascoma Street to Peabody Street; thence northerly along the center line of Peabody Street until it makes a right angle turn westerly; thence from the said right angle turn in a straight line northerly across ridges to a point where a tributary of Mink Brook meets with the Lebanon-Hanover line; thence westerly along said line until it meets the New Hampshire-Vermont boundary, then southerly along said boundary to the point of origin.

Ward 2 shall consist of all that land in said city of Lebanon north of the Lebanon-Plainfield line beginning at Hibbards Brook; thence easterly along said town line to the center line of Meriden Road; thence northerly following the center line on said road until it merges with School Street; thence following the center line of School Street to East Park Street; thence following the center line of East Park Street to the center line of North Park Street; thence following the center line of North Park Street to Hanover Street; thence following the center line of Hanover Street until it is bisected by Interstate Highway 89; thence crossing Interstate Highway 89 at the footbridge; thence continuing northerly following the center line of Hanover Street to the Mt. Support-Hanover Road; thence following the center line of Mt. Support-Hanover Road until it merges with Route 120; thence following the center line of Route 120 to the Lebanon-Hanover line; thence westerly along said line until it meets with the northeast boundary of Ward 1; thence southerly along the eastern boundary of Ward 1 to point of origin.

Ward 3 shall consist of all that land in said city of Lebanon north of the Lebanon-Plainfield line beginning at the center line of the Meriden Road and thence easterly along said town line to the line of Enfield; thence northerly along said line to the junction with the Lebanon-Hanover line; thence westerly along said line until it meets the northeast boundary of Ward 2; thence southerly along the easterly boundary of Ward 2 until it meets the point of origin.

**559:2 Closing of Polls.** Amend 1957, 419:11 by striking out the figure and word "8 o'clock" in line seven and inserting in place thereof the figure and word (6 o'clock) so that said section as amended shall read as follows: **419:11 Qualification of Voters.** Persons who would be qualified to vote in a biennial election if held on the day of such municipal election shall be the qualified voters therein. Municipal elections hereunder shall be deemed elections within the meaning of all general statutes, penal and otherwise, and said statutes shall apply to municipal elections so far as consistent with this chapter. The polls shall be open at each municipal election from 9 o'clock in the forenoon to 6 o'clock in the evening in each ward.

**559:3 Appointive Power of Council.** Amend 1957, 419:29 by inserting after the word "officers" in line four the words (except that the council shall have the power to appoint and remove the board of adjustment and one member of the planning board as provided by state law) so that said section as amended shall read as follows: **419:29 Non-Interference by the Council.** Neither the council nor any of its members shall direct or request the appointment of any person to office or employment, or his removal therefrom, by the manager or any of the administrative officers except that the council shall have the power to appoint and remove the board of adjustment and one member of the planning board as provided by state law. However, members of the council may state objections to the appointment of any person proposed by the manager as provided in section 31 of this charter. Neither the council nor any member thereof shall give orders to any of the administrative officers either publicly or privately. Any violation of the provisions of this section by a councilman shall be a misdemeanor, a conviction of which shall constitute immediate forfeiture of office.

**559:4 Appointment by Manager.** Amend 1957, 419:32 by inserting after the word "officer" in line three the words (civil defense director, the members of the planning board except the one appointed by the council) so that said section as amended shall read as follows: **419:32 Certain Officers.** The manager shall appoint a city clerk, auditor, assessor or assessors, treasurer, tax collector, fire chief, police chief, health officer, civil defense director, the members of the planning board except the one appointed by the council, and such other officers as he deems

necessary to administer all departments which the council shall establish, which departments shall replace all existing departments, boards and commissions, except as herein specifically excepted. The duties of any two or more such officers may be combined in one officer except that the office of auditor shall not be combined with the office of treasurer. The powers and duties of these officers and heads of departments so appointed shall include those prescribed by state law, by this charter, or by ordinance.

**559:5 Notice of Budget Hearing.** Amend 1957, 419:41 by striking out the words "together with a copy of the budget as submitted shall be published in locally published newspapers at least one week in advance by the city clerk" in lines three, four and five and inserting in place thereof the words (together with a summary of the budget as submitted shall be printed in a newspaper published or circulated locally, once a week in two successive calendar weeks, the last publication being at least seven days including the day of publication before the public hearing) so that said section as amended shall read as follows: **419:41 Budget Hearing.** A public hearing on the budget shall be held before its final adoption by the council, at such time and place as the council shall direct, and notice of such public hearing together with a summary of the budget as submitted shall be printed in a newspaper published or circulated locally, once a week in two successive calendar weeks, the last publication being at least seven days including the day of publication before the public hearing.

**559:6 Additional Appropriations.** Amend 1957, 419:43 by inserting after the word "appropriation" in line four the words (and notice of such public hearing shall be printed in a newspaper published or circulated locally, once a week in two successive calendar weeks, the last publication being at least seven days including the day of publication before the public hearing) so that said section as amended shall read as follows: **419:43 Appropriations After Budget is Adopted.** No appropriation shall be made for any purpose not included in the annual budget as adopted unless voted by two-thirds majority of the council after a public hearing held to discuss said appropriation, and notice of such public hearing shall be printed in a newspaper published or circulated locally, once a week in two successive calendar weeks, the last publication being at least seven days including the day of publication before the public hearing. The council shall by resolution designate the source of any money so appropriated.

**559:7 Misspelling Corrected.** Amend 1957, 419:45 by striking out the word "maney" in line two and inserting in place the word (money) so that said section as amended shall read as follows: **419:45 Transfer of Appropriations.** After the budget has been adopted, no money shall be drawn from the treasury of the city, nor shall any obligation for the



expenditure of money be incurred, except pursuant to a budget appropriation unless there shall be a specific additional appropriation therefor. The head of any department with the approval of the manager, may transfer any unencumbered balance or any portion thereof from one fund or agency within his department; the manager, with the approval of the council, may transfer any unencumbered appropriation balance or any portion thereof from one department to another.

**559:8 Bonds of Officers.** Amend 1957, 491:48 by inserting after the word "funds" in line five the word (shall) so that said section as amended shall read as follows: **419:48** Any city officer elected or appointed by authority of this charter may be required by the council to give a bond to be approved by the city solicitor for the faithful performance of the duties of his office, but the manager and all officers receiving or disbursing city funds shall be so bonded. All official bonds shall be corporate surety bonds and the premiums thereon shall be paid by the city. Such bonds shall be filed with the city clerk.

**559:9 Hearing Prior to Borrowing.** Amend 1957, 419:49 by striking out the words "Borrowing for a term exceeding one year shall be authorized by the council only after a duly authorized public hearing" in lines eight and nine and inserting in place thereof the words (Except in the case of borrowing in anticipation of taxes, borrowing for a term exceeding one year or in an amount of twenty thousand dollars or more shall be authorized by the council only after a public hearing held to discuss such borrowing, and notice of such public hearing shall be printed in a newspaper published or circulated locally, once a week in two successive calendar weeks, the last publication being at least seven days including the day of publication before the public hearing) so that said section as amended shall read as follows: **419:49 Borrowing Procedure.** Subject to the applicable provisions of state laws and the rules and regulations provided by ordinance in the administrative code, the council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other evidence of indebtedness thereof, and may pledge the full faith, credit, and resources of the city for the payment of the obligation created thereby. Except in the case of borrowing in anticipation of taxes, borrowing for a term exceeding one year or in an amount of twenty thousand dollars or more shall be authorized by the council only after a public hearing held to discuss such borrowing, and notice of such public hearing shall be printed in a newspaper published or circulated locally, once a week in two successive calendar weeks, the last publication being at least seven days including the day of publication before the public hearing. In no event shall the term of such bonds exceed the limitations imposed by state law.

**559:10 Errors and Omissions Corrected.** Amend 1957, 419:53 by

striking out the word "Personal" in the title of said section and inserting in place thereof the word (Personnel), and by inserting after the word "employee" in line seventeen the word (unless) so that said section as amended shall read as follows: **419:53 Personnel Advisory Board.** There is hereby established a personnel advisory board of three citizens holding no other political office and appointed, one member by the manager, one by the council, and the third by these two appointees. In the first instance only, the member appointed by the manager shall serve for one year, the member appointed by the council for two years and the third member for three years, in each case beginning on the date of appointment; the term of all succeeding members shall be for three years beginning on the expiration of the term each succeeds. It shall be the duty of the personnel advisory board to study the broad problems of personnel policy and administration, to advise the council concerning the personnel policies of the city and the manager regarding the administration of the merit plan and to hear appeals of any employee aggrieved as to the status or condition of his employment. The board shall issue written reports containing findings of facts and recommendations to the manager upon such appeals but the board shall have no power to reinstate an employee unless it finds, after investigation, that disciplinary action was taken against the employee for religious, racial or political reasons.

**559:11 Penalties Provided.** Amend 1957, 419 by inserting after section 73 the following new section: **419:73-a Violations.** Any person who violates any provision of this charter, unless otherwise provided, shall be fined not exceeding five hundred dollars or imprisoned not exceeding ninety days, or both. The council may provide in any city ordinance that any person who violates that ordinance shall be fined not exceeding five hundred dollars or imprisoned not exceeding ninety days, or both.

**559:12 Referendum.** This act shall not take effect unless it is adopted by a majority vote at the regular municipal election held in the city of Lebanon on November 7, 1967, as hereinafter provided. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers the following question: "Shall the provisions of an act entitled 'An Act amending the charter of the city of Lebanon,' passed at the 1967 session of the legislature, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided in the same manner as the election of candidates for offices under the present chapter. If a majority of those voting on this question at said election vote in the affirmative on this

question, this act shall be declared to have been adopted. The city clerk shall within ten days of said election certify to the secretary of state the result of the vote on the above question.

**559:13 Effective Date.** Section 12 of this act takes effect upon its passage, and if the act shall be adopted at the election of November 7, 1967, the remainder of this act shall take effect on January 1, 1968.

[Approved June 30, 1967.]

[Effective date — section 12, June 30, 1967,  
remainder of act when adopted.]

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## CHAPTER 560

### AN ACT RELATIVE TO ELECTION OF BOARD OF EDUCATION FOR THE CITY OF CONCORD.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**560:1 City of Concord.** Amend section 2 of chapter 355, Laws of 1961 by striking out said section and inserting in place thereof the following: **355:2 Elections.** The election officers in each ward whose duty it is to conduct regular biennial elections shall conduct an election, as hereinafter provided, on the Tuesday after the first Monday in November, annually, to elect three members of the board of education of the Concord union school district to serve terms of three years each. For the purposes of this election, the voters in the several wards shall cast their ballots in their respective wards for the election of members of the board of education in such convenient places as may be designated by the supervisors of the checklist and provided by the district. Candidates for election to the board of education shall be listed on a ballot separate from the ballot or ballots used in any other elections which may be held concurrently with the board election, as provided in section 4 of this chapter. The first election under this chapter shall be held on the Tuesday after the first Monday in November 1969. All board members elected prior to the effective date of this act shall continue in office through the last day of December in the year in which their terms otherwise would have expired.

**560:2 Board of Education.** Amend section 6 of chapter 355, Laws of 1961, by striking out said section and inserting in place thereof the following: **355:6 Governing Body.** All the powers of the district are vested in a board of education of nine members. Members of the board shall take office on the first day of January following their election. The board shall, at its first regular meeting in January, choose one of

its members as president for a term of one year. If there is a vacancy in the office of the president, the board shall choose one of its members to serve for the unexpired term. The board shall, at its first meeting in January, choose a person who is not a member of the board to serve as clerk of the district, and shall choose some other person, who also is not a member of the board, as treasurer of the district. The board shall define their duties and determine their compensation. The district treasurer may be a regular employee of the district, but the clerk may not be an employee of the district.

**560:3 Meetings; Rules.** Amend section 9 of chapter 355, Laws of 1961, by striking out in the eleventh, twelfth and thirteenth lines the words "newly elected members of the board shall take office at the first meeting in April following their election" so that said section as amended shall read as follows: **355:9 All Meetings Public.** All meetings of the board of education shall be public. Regular meetings shall be held on the second Monday of each month and special meetings shall be held on call of the president or on written request of at least five members of the board. The board shall establish its own rules, and a majority shall constitute a quorum for the transaction of its business. Nothing herein shall prevent the board from holding executive sessions, from which all except its own members may be excluded, for the discussion on matters which, in the opinion of a majority of the board, would not be in the public interest or would tend to injure any individual in his professional or personal affairs. All business of the board, however, shall be transacted in public session.

**560:4 Effective Date.** This act shall take effect July 1, 1969.  
[Approved June 30, 1967.]  
[Effective date July 1, 1969.]

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## CHAPTER 561

AN ACT DISANNEXING A CERTAIN PORTION OF LISBON TOWN SCHOOL DISTRICT AND ANNEXING THE SAME TO SUGAR HILL SCHOOL DISTRICT.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**561:1 Sugar Hill School District.** Such part of the Lisbon town school district which lies within the boundaries of the town of Sugar Hill is hereby disannexed from the said Lisbon school district and annexed to the Sugar Hill school district.

**561:2 Referendum.** The provisions of this act shall not take effect

until it has been adopted by a majority vote in each of the two school districts involved, as hereinafter provided. At special school district meetings of Lisbon town school district and Sugar Hill school district, which shall be held prior to December first, 1967, the respective district clerks then in office shall prepare special ballots on which shall appear the following question: "Shall the provisions of an act disannexing a certain portion of the Lisbon town school district and annexing the same to Sugar Hill school district, as enacted by the 1967 session of the legislature, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word in which the voter may indicate his choice. The referendum relative to this vote shall be conducted in every way, except as otherwise herein provided, in the same manner as the election of officers in said districts. If a majority of those voting on this question, in each of said school districts vote in the affirmative on this question, this act shall be declared to have been adopted. The school district clerk in each district shall certify the result of said vote to the clerk of the other school district and shall, within ten days of the meeting, certify the result of said vote in his respective district to the state board of education and to the secretary of state.

**561:3 Effective Date.** Section 2 of the act shall take effect upon the passage of this act, and if the act is adopted as hereinabove provided the provisions of section 1 shall be deemed to take effect as of January 1, 1968, for the limited purpose of allowing the voters in the school districts as changed hereunder to become voters of the changed districts at the regular annual school district meeting in 1968. Provided however, that the school boards of the pre-existing districts shall continue to operate the schools until the end of the then school year, June 30, 1968, at which date the provisions of section 1 shall be completely effective.  
[Approved June 30, 1967.]  
[Effective date when adopted.]

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## CHAPTER 562

AN ACT PROVIDING FOR THE APPOINTMENT OF THE BOARD OF PUBLIC WORKS  
FOR THE CITY OF NASHUA INSTEAD OF ELECTION OF SAID BOARD MEMBERS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**562:1 City of Nashua, Board of Public Works.** Amend Laws of 1913, chapter 427, section 59 by striking out said section and inserting in place thereof the following: Sect. 59. The mayor shall appoint, subject

to the approval and confirmation of the board of aldermen, four members to the board of public works. Of the first appointments hereunder two shall be appointed to serve four years each, beginning January 1, 1970, and two shall be appointed to serve for two years each, beginning January 1, 1970. Thereafter biennially two members shall be appointed to the board, each for a term of four years. The members of said board shall hold their respective offices until their successors are appointed and qualified.

**562:2 Referendum.** This act shall not take effect unless it is adopted by a majority vote at the regular municipal election held in the city of Nashua on November 7, 1967, as hereinafter provided. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers, the following question. "Shall the provisions of an act providing for the appointment of members of the board of public works of the city of Nashua instead of electing said board members as passed at the 1967 session of the legislature, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No", with a square immediately opposite each word, in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided, in the same manner as the election of candidates for offices under the present charter. If a majority of those voting on this question at said election vote in the affirmative on this question, this act shall be declared to have been adopted. The city clerk shall, within one week of said election, certify to the secretary of state the result of the vote on the above question.

**562:3 Effective Date.** Section 2 of this act shall take effect upon the passage of this act and if the act shall be adopted at the election of November 7, 1967, the remainder of this act shall take effect January 1, 1970.

[Approved July 3, 1967.]

[Effective date — section 2 effective July 3, 1967.]

[Remainder of act when adopted.]

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## CHAPTER 563

AN ACT PROVIDING FOR THE ELECTION OF THE SCHOOL BOARD MEMBERS OF  
THE CONTOOCCOOK VALLEY SCHOOL DISTRICT AT THE TIME AND PLACE OF  
ELECTION OF TOWN OFFICERS IN THE TOWNS WHICH  
COMPRISE THE SCHOOL DISTRICT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**563:1 Election at Town Meeting.** The Contoocook Valley school

district may at any annual school meeting, under an article in the warrant for such meeting, vote to elect its school board members at the annual town meeting in the towns comprising said district, and may rescind such action in like manner. Such action shall not take effect until the calendar year next following the year in which such action is taken. The newly elected school board members shall take office as of the first Monday in April after said annual town meeting at which they are chosen. The oath of office shall be administered to said school board members by the town moderator, clerk, or one of the selectmen of any of the towns comprising the district or by a justice of the peace in accordance with the provisions of RSA 42.

**563:2 Check-List and Nonpartisan Ballot System.** At the time when the Contoocook Valley school district votes to elect its school board members as provided in section 1, each pre-existing school district which is a member thereof and which has not already done so, shall be deemed to have adopted, for the purpose of electing school board members, the check-list of the town within which it was located in accordance with the provisions of RSA 197:12-a.

**563:3 Duties of Clerk of School District.** Declarations of candidacy of school board member shall be filed with the clerk of the school district. The clerk of the school district shall prepare the official ballots for the district, and shall deliver the same to the town election officers in the towns comprising the district before the opening of the polls at the annual town meeting in such towns. Said ballots shall be of a different color from any other ballot being used at said meeting.

**563:4 Election Officials; Counting Ballots.** The town election officials in the towns comprising said district shall act in like capacity for the school district in conducting such school district elections. After the close of the polls the town election officials in such towns shall turn all school district ballots over to the moderator of the school district, who shall then proceed to count said ballots publicly with the assistance of such legal voters of the district as he shall appoint.

**563:5 Other Coordination of Town and School District Elections.** Nothing herein shall preclude other appropriate coordination of the school district and town elections in the towns comprising the district consistent with all applicable requirements of law where the school district and such town meetings are simultaneously in session and the school district has duly voted to adopt as official for school district purposes the check-lists of the towns, as well as the town polls and election machinery.

**563:6 Posting Warrants.** When the school district has voted to elect its school board members at the annual town meeting in the towns comprising the district, in accordance with the provisions of section 1

herein, the district school board shall post a special warrant for the election of such school board members, as school boards are required to do under the provisions of RSA 197:5 and 7. The special warrant for the election of school board members shall prescribe the time the polls are to open and also an hour before which the polls may not close. Said prescribed times shall be the same as those set for the opening and closing of polls for the town meeting in the towns comprising the district.

**563:7 Effective Date.** This act shall take effect sixty days after its passage.

[Approved July 3, 1967.]

[Effective date September 1, 1967.]

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## CHAPTER 564

AN ACT AMENDING THE CHARTER OF THE CITY OF LEBANON TO PROVIDE FOR  
THE ELECTION OF THREE COUNCILMEN FROM EACH WARD AND TO  
ABOLISH THE OFFICE OF COUNCILMAN-AT-LARGE.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**564:1 Election of Councilmen.** Amend 1957, 419:7 by striking out in line two the words "at large and two" so that said section as amended shall read as follows: **419:7 Councilmen.** At each municipal election there shall be elected nine councilmen, three to be elected from each ward. Each councilman shall hold office for a term of two years and until his successor is elected and qualified. Each councilman shall take office on the first week day of January following his election.

**564:2 Referendum.** This act shall not take effect unless it is adopted by a majority vote at the regular municipal election held in the city of Lebanon on November 7, 1967, as hereinafter provided. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers the following question: "Shall the provisions of an act entitled, 'An Act amending the charter of the city of Lebanon to provide for the election of three councilmen from each ward and to abolish the office of councilman-at-large,' passed at the 1967 session of the legislature be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided, in the same manner as the election of candidates for offices under the present charter.



If a majority of those voting on this question at said election vote in the affirmative on this question, this act shall be declared to have been adopted. The city clerk shall within ten days of said election certify to the secretary of state the result of the vote on the above question.

**564:3 Effective Date.** Section 2 of this act shall take effect upon its passage, and if the act shall be adopted at the election of November 7, 1967, the remainder of this act shall take effect for the municipal election held in November 1969.

[Approved July 3, 1967.]

[Effective when adopted.]

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## CHAPTER 565

### AN ACT TO PROVIDE FOR TWO ADDITIONAL MEMBERS ON THE BOARD OF FIRE COMMISSIONERS FOR THE CITY OF LACONIA.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**565:1 City of Laconia.** Amend chapter 440 of the Laws of 1955 by striking out section 1 and inserting in place thereof the following:  
**1. Fire Commissioners.** The powers now possessed by the mayor and city council of the city of Laconia in relation to the appointment and removal of the chief engineer and the assistant engineers of the fire department for said city, as provided in section 22 of the charter of said city are hereby transferred to a board of fire commissioners. The board of fire commissioners shall consist of five commissioners, to be appointed by the mayor, with the approval of the council. In addition to the present three fire commissioners serving on the effective date of this act, the mayor, with the approval of the council, shall appoint two additional commissioners to the board of fire commissioners, one of whom shall hold office from the date of his appointment until the first day of July, 1968, and one until the first day of July, 1969, or until his successor is appointed and qualified, and annually thereafter on or before the first day of July, the mayor, with the approval of the council, shall appoint two commissioners, except every third year when one shall be appointed, who shall take the place of the ones whose terms expire, and who shall serve for three years unless sooner removed as herein provided; and any vacancy in said board shall be filled in the same manner. At no time shall more than three of said commissioners belong to one political party. No member of the board shall serve in any other capacity in the department.

**565:2 Referendum.** The provisions of this act shall not take effect unless it is adopted by a majority vote at the next biennial election or at a special election called for that purpose by the mayor, with the approval of the council, as hereinafter provided. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers or on a special ballot the following question: "Shall the provisions of an act entitled 'An act to provide for two additional members on the board of fire commissioners for the city of Laconia' passed at the 1967 session of the legislature be adopted?" Beneath the question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided, in the same manner as the election of officers. If a majority of those voting on this question at said election vote in the affirmative on this question this act shall be declared to have been adopted. Within ten days after said election the city clerk shall certify to the secretary of state the result of said vote.

**565:3 Effective Date.** Section 2 of this act shall take effect upon its passage and if the act shall be adopted at the next biennial election or at a special election, the remainder of this act shall take effect on January 1, 1968, or ten days after its adoption at any such special election.

[Approved July 3, 1967.]

[Effective date — section 2 effective

July 3, 1967; remainder of act when adopted.]

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## CHAPTER 566.

AN ACT TO PROVIDE FOR THE ANNUAL ELECTION OF OFFICIALS OF THE UNION  
SCHOOL DISTRICT OF KEENE AT THE SAME TIME AS THE ELECTION  
OF CITY OR STATE OFFICIALS.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**566:1 Members of School Board.** The school board of the union school district of Keene shall consist of nine members, who shall be elected and hold office as provided in this act.

**566:2 Elections.** After the effective date of this act, the district shall elect its district officers annually at the regular municipal election for the city of Keene held in November in odd numbered years and at the regular biennial election held in said city in November in even numbered

years. The election officials for said city shall conduct the election for school district officers under the same provisions that govern the election of city officials. All members of the school board shall be elected at large.

**566:3 Qualifications of Voters.** Persons residing in said district who would be qualified to vote in a regular biennial election if held on the day of the district election are qualified voters of the district. The city election officials shall use the same check list for the election of school district officials as is used for the election of city or state officials.

**566:4 Declarations of Candidacy; Ballots.** A candidate for school district office shall file his declaration of candidacy for the office with the district clerk not sooner than the thirtieth day nor later than the fifteenth day before the district election. The district clerk shall prepare ballots for the election of said officials in the same form, as nearly as may be, as is presently used for ballots for the election of school officials for the union school district of Keene, except that such ballots shall be designed to be folded. The district clerk shall deliver said ballots to the city clerk of the city of Keene, who shall deliver the same to the election officials in the several wards at the same time that ballots for the election of city or state officials are delivered.

**566:5 Counting Ballots.** Ballots cast for the election of school district officials shall be counted and the results announced by the city election officials in the manner prescribed in RSA 59:69. After being counted, said ballots shall be treated and preserved as provided in RSA 59:88 and RSA 59:89, except that said ballots shall be delivered to and deposited with the district clerk.

**566:6 Contested Election.** Within seven days after an election, the school board shall canvass the votes cast for school district officials and the candidates receiving the highest number of votes shall be declared elected. The school board shall certify its findings to the district clerk. Upon request of any candidate for school district office made within seven days after such canvass, the school board shall, subject to such rules and regulations as the board shall prescribe, recount the ballots cast in the election and hear and determine any contest on the ground of fraud or misconduct therein. Decisions of the school board in cases of contested elections shall be final. Tie votes shall be resolved by lot in the manner that the board may determine. In cases arising under this section the board shall have the power to subpoena witnesses and compel the production of all pertinent books, records and papers.

**566:7 Term of Office.** The district shall hold its first election under this act at the biennial election to be held in November, 1968. At such election, the district shall elect three members of the school board for a term of three years. At subsequent district elections, the number of members of the board elected at each election shall be three members, so as

to maintain nine members of the board at all times. Other district officers elected at said election shall be elected for a term of one year each. Newly elected officers of the school district shall take office on the first business day of January following election.

**566:8 Vacancies.**

I. If there is a vacancy in the school board for any reason, including failure to qualify for office, the board shall appoint a qualified voter of the district to serve until the next regular district election, at which time the vacancy shall be filled by election for the unexpired term. A vacancy in any other district office shall be filled by the board for the unexpired term.

II. In an election to fill a vacancy, the names of the candidates shall be placed on the same ballot as the candidates for the regular board membership, but on a separate part of the ballot and distinctly marked so as to be set apart from the names of the regular candidates.

**566:9 Costs of Election.** The school district shall bear a proportionate share of the cost of conducting municipal or biennial elections in the city of Keene, in the ratio that the number of candidates for the office of school district officials voted for at an election bears to the entire number of candidates voted for at said election.

**566:10 Terms of Incumbents; Intermediate Terms.** The terms of office of those board members and other district officials whose terms of office expire at the 1968 annual meeting of the union school district of Keene are extended to 12:01 A.M. on the first business day of January, 1969. The terms of office of those board members whose terms of office expire at the 1969 annual meeting of said district are extended until 12:01 A.M. on the first business day of January, 1970. The terms of office of those board members whose terms of office expire at the 1970 annual meeting of said district are extended until 12:01 A.M. on the first business day of January, 1971. There shall be no election of district officials at the annual meeting of the district held in 1968.

**566:11 Repeal.** Chapter 290 of the Laws of 1939, relative to elections of district officers of the union school district in Keene, is hereby repealed.

**566:12 Referendum.** The clerk of the union school district of Keene shall prepare referendum ballots for use by the voters at the municipal election of the city of Keene to be held in November, 1967, upon which shall be printed the question: "Shall the provisions of an act entitled 'An Act to provide for the annual election of officials of the union school district of Keene at the same time as the election of city or state officials' enacted by the 1967 session of the legislature be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square

immediately opposite each such word in which the voter may indicate his choice. Said ballots shall be delivered by the district clerk to the city clerk of the city of Keene, who shall deliver the same to the election officials in the several wards at the same time that ballots for the election of city officials at said election are delivered. If a majority of the voters present and voting on the question shall signify their approval thereof, this act shall be declared adopted. Ballots cast on said question shall be counted and the results announced by the city election officials in the manner prescribed in RSA 59:69. Ward moderators shall forthwith certify the results of said vote in their respective wards to the district clerk; and the district clerk shall within ten days after said election certify to the secretary of state the result of the vote on said question.

**566:13 Effective Date.** Section 12 shall take effect sixty days after the passage of this act. If this act shall be adopted in accordance with the provisions of section 12, the remaining sections shall take effect as herein otherwise provided after said adoption.

[Approved July 3, 1967.]

[Effective date — section 12 effective September 1, 1967  
remainder of act when adopted.]

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## CHAPTER 567.

AN ACT TO AUTHORIZE THE CLAREMONT SCHOOL DISTRICT TO INCREASE ITS  
NET INDEBTEDNESS TO NINE PER CENT.

*Be it Enacted by the Senate and House of Representatives in General  
Court convened:*

**567:1 Debt Limit, Claremont School District.** Notwithstanding the provisions of RSA 33:4-a the Claremont school district is authorized to incur a net indebtedness to an amount outstanding at any one time that does not exceed nine (9) per cent determined as provided by other provisions of RSA 33. If the voters of the district fail to approve the construction of the new high school by a vote on the question at any school district meeting held before December 31, 1968, to determine if the district approves of the said construction, the authority to incur an indebtedness of (9) per cent granted by this section is null and void. The clerk of the Claremont school district shall certify to the secretary of state the result of the vote on the question within ten days after the date of the meeting.

**567:2 Effective Date.** This act shall take effect on its passage.

[Approved July 3, 1967.]

[Effective date July 3, 1967.]

**CHAPTER 568.****AN ACT RELATIVE TO THE DEPARTMENT OF PERSONNEL OF THE CITY OF MANCHESTER.**

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**568:1 Term of Office of Director.** Amend section 12 of chapter 497 of the Laws of 1965 by striking out in the second sentence thereof the words "who shall serve for an indefinite term" and by inserting in place thereof (who shall serve for a term of four years) so that said section as amended shall read as follows: **497:12 Personnel Department.** The mayor and the board of aldermen may establish by ordinance a personnel department. The mayor, with the approval of the board of aldermen, shall appoint a personnel director qualified by education and experience as head of the department, who shall serve for a term of four years subject to removal for cause. His salary shall be set by the board of mayor and aldermen. The personnel department is responsible for the recruitment, appointment, compensation, promotion, transfer, layoff, removal, and discipline of city employees, and other incidents of city employment.

**568:2 Referendum.** At the municipal election to be held in the city of Manchester in November, 1967, the city clerk then in office shall cause to be included on the ballot then used the following question: "Shall the provisions of an act of the General Court of 1967 changing the term of the personnel director of the city of Manchester from an indefinite term to a term of four years be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square immediately opposite such word in which the voter may indicate his choice. If a majority of the voters present and voting on the question shall signify their approval thereof, this act shall be declared adopted effective as of January 1, 1968. The city clerk of the city of Manchester shall, within ten days after said election, certify to the secretary of state the result of the vote on the question.

**568:3 Effective Date.** Section 2 hereof, relative to the referendum shall take effect upon passage of this act. If the remaining provisions of this act shall be adopted as hereinbefore provided, said provisions shall be declared adopted and shall become effective January 1, 1968. If this act becomes effective, all acts or parts of acts inconsistent herewith shall be repealed to the extent of such inconsistencies.

[Approved July 3, 1967.]

[Effective date — section 2 effective July 3, 1967,  
remainder of act when adopted.]

**CHAPTER 569.**

AN ACT INCREASING THE DEBT LIMIT OF MASCENIC SCHOOL DISTRICT, COMPOSED OF THE SCHOOL DISTRICTS OF NEW IPSWICH, MASON AND GREENVILLE, AND THE COOPERATIVE SCHOOL DISTRICT, COMPOSED OF LYNDEBOROUGH AND WILTON.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**569:1 Debt Limit.** Notwithstanding the provisions of RSA 195:6, as amended, or any other applicable law, the debt limit of Mascenic Regional School District shall be an amount not exceeding twelve percent of its assessed valuation as equalized by the state tax commission in 1966, or the debt limit established by RSA 195:6, as amended, whichever is greater.

**569:2 Debt Limit; Cooperative School District, Lyndeborough and Wilton.** If the school districts of Lyndeborough and Wilton unite and form a cooperative school district for all or any combination of grades during the period July 1, 1967 to December 31, 1968 and if the state board of education issues a certificate that the said cooperative school district by whatever name it is called, has been lawfully organized and formed pursuant to the provisions of RSA 195, and notwithstanding the provisions of RSA 195:6 or any other applicable statute, the said cooperative school district is authorized to issue a net indebtedness to an amount outstanding at any one time that does not exceed eight per cent of its assessed valuation as equalized by the state tax commission in 1966, or as established by RSA 195:6, whichever is the greater amount.

**569:3 Effective Date.** This act shall take effect upon its passage.  
[Approved July 3, 1967.]  
[Effective date July 3, 1967.]

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**CHAPTER 570.**

AN ACT INCREASING THE NUMBER OF HIGHWAY COMMISSIONERS FOR THE CITY OF MANCHESTER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**570:1 City of Manchester Highway Commissioners.** Amend section 2, chapter 273 of the laws of 1921 by striking out said section and inserting in place thereof the following: Sect. 2. A department of highways for the city of Manchester is hereby established. In the month of January,

1968, the board of aldermen shall appoint five citizens of Manchester who shall be commissioners of highways, two of whom shall be appointed for a term of one year each, two of whom shall be appointed for a term of two years each, and one of whom shall be appointed for a term of three years. Thereafter as the term of office of a commissioner shall expire a commissioner shall be appointed for a three year term. Vacancies shall be filled for the unexpired term. One of such commissioners shall be a representative from organized labor. Said commissioners shall be paid a salary of two hundred dollars per year in full for all services rendered except the chairman who shall be paid a salary of two hundred fifty dollars per year in full for all services rendered. No member of the board of mayor and aldermen shall be appointed to the board of commissioners.

**570:2 Present Board Abolished.** The term of office of the board of highway commissioners in office at the effective date of this act shall expire as of the effective date of the appointment of the board authorized by this act and the said present board of highway commissioners shall be abolished as of said date.

**570:3 Referendum.** The provisions of this act shall not take effect unless it is adopted by a majority vote at the regular municipal election held in the city of Manchester in November, 1967 as hereinafter provided. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers the following question: "Shall the provisions of an act entitled 'An act increasing the number of highway commissioners for the city of Manchester' passed at the 1967 session of the legislature be adopted?" Beneath the question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided, in the same manner as the election of officers. If a majority of those voting on this question at said election vote in the affirmative on this question this act shall be declared to have been adopted. Within ten days after said election the city clerk shall certify to the secretary of state the result of said vote.

**570:4 Effective Date.** Section 3 of this act shall take effect upon its passage and if the act shall be adopted at the election in November, 1967, the remainder of this act shall take effect on January 1, 1968.

[Approved July 3, 1967.]

[Effective date — section 3 effective  
July 3, 1967, remainder of act when  
adopted.]



**CHAPTER 571.**

AN ACT AMENDING CERTAIN PENSION ACTS FOR THE CITY OF MANCHESTER.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**571:1 Social Security Increases Excluded from Deductions.** In determining the "one-half pay" to which retired employees are entitled under the noncontributory pension systems now in effect in the city of Manchester as now integrated with social security, any further increases in social security benefits payable under the city's retirement system and the previous increase in social security of seven per cent in 1965 which has been deducted will be restored, but not on a retroactive basis. This act shall not affect social security increases previously deducted.

**571:2 Full Social Security to be Paid.** In connection with all non-contributory pension plans covering all employees of the city of Manchester, the employees who retire hereafter shall receive a pension of one-half of their pay plus the full amount of social security benefits to which they are entitled, provided, however, that the city may deduct from the pension an amount not to exceed the amount of money that the city has contributed to the employees' social security.

**571:3 Prior Pension Acts Amended.** All prior pension acts of the city of Manchester are hereby amended to the extent of the above provisions, including without limiting the foregoing, 1951, 308:1, 317:1; 1949, 400:1, 400:2; 1923, 224:1, 225:1; 1913, 418:2.

**571:4 Referendum.** The provisions of this act shall not take effect unless it is adopted by a majority vote at the regular municipal election held in the city of Manchester in November, 1967 as hereinafter provided. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers the following question: "Shall the provisions of an act entitled 'An act amending certain pension acts of the city of Manchester' passed at the 1967 session of the legislature be adopted?" Beneath the question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word in which the voter may indicate his choice. The referendum relative to the adoption of this chapter shall be conducted in every way, except as otherwise herein provided, in the same manner as the election of officers. If a majority of those voting on this question at said election vote in the affirmative on this question this act shall be declared to have been adopted. Within ten days after said election, the city clerk shall certify to the secretary of state the result of said vote.

**571:5 Effective Date.** Section 4 of this act shall take effect upon its passage and if the act shall be adopted at the election in November, 1967, the remainder of this act shall take effect on January 1, 1968.

[Approved July 7, 1967.]

[Effective date — section 4 effective July 7, 1967;  
remainder of act when adopted.]

**Note:** In addition to foregoing private acts see 1967 Chapter 406 relative to referendum in the city of Claremont.

THE STATE OF NEW HAMPSHIRE

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Office of Secretary of State  
Concord, August 10, 1967

I hereby certify that the acts and resolutions contained in this volume have been compared with the originals in this office and found to be correctly printed.

ROBERT L. STARK,  
*Secretary of State*



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